

NATIONAL BOARD OF HEALTH.

REMARKS

BEFORE THE

Committee on Public Health

OF THE

HOUSE OF REPRESENTATIVES

IN SUPPORT OF

House Bill 2785, 48th Congress, 1st Session, for the protection of the public health, and in refutation of charges made against the Board by the Supervising Surgeon-General of the Marine Hospital Service.

WASHINGTON, D. C.

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NATIONAL BOARD OF HEALTH.

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JOHN M. BROWNE, Medical Director, U. S. Navy, Washington, D. C.

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At the meeting of the Public Health Committee of the House of Representatives, Mr. Beach, N. Y., chairman, held Thursday, February 21, 1884, Dr. Smart, of the National Board of Health, submitted as follows:

Mr. Chairman and Gentlemen of the Committee:

I have been delegated by the National Board of Health to explain what the facts really were in the instances cited by Dr. Hamilton, of the Marine Hospital Service, as sustaining the charges preferred by him against the Board.

For a long time past charges have been circulated privately by Dr. Hamilton, and made use of to the detriment of the Board, when its members were not present to reply. Artfully worded paragraphs in the daily press have referred to these charges in such a way as to suggest to those who were ignorant of the Board's affairs that it had been condemned after a full and fair hearing. I do not say from whom these anonymous paragraphs emanated, but I do say that they did immense injury to the public health interests of this country, if only in suspending the investigations of the Board into the origin of preventable diseases. At last, however, these charges have been formally and officially preferred. At last the Board knows what are the so-called facts which have been so long circulated for its condemnation. And what are these? A mass of verbiage, without body or basis, malignant enough when in concealment, but dissipated, when exposed, by a single breath of honesty and straightforwardness.

In taking up these charges I desire to invite attention to Dr. Hamilton's reply to an inquiry by a member of this Board that he had presented his case against the Board fully, and that there remained nothing to be hereafter charged against it.

The specifications hardly admit of a classified arrangement, so I shall take them up one by one as they come to memory.

1st. It was stated by Dr. Hamilton that the Board paid \$5,000 for the hospital barge Selden, which he represented as a worthless old hulk or rotten canal-boat. Dr. Bailhache, chief of staff to General Hamilton, and his representative on the Board of Health, corrected him as to his figures, and the sum was subsequently stated at \$3,000. The sum actually paid for this barge was \$2,500, as may be seen by an examination of the retained copy of the vouchers on which the money was paid by the Treasury.

Dr. Cabell went to Norfolk, Virginia, to superintend the establishment of the station. He consulted with the Quarantine Commissioners of the Elizabeth River District, and in conjunction with them selected the barge Neuse, afterwards christened the Selden, as being the best and cheapest. The barge has been on duty under the authority of the National Board of Health for three years at the station selected by the national and local authorities, and her quality or fitness for the work has never been called in question until now, when it suits Dr. Hamilton to do so.

I shall read a passage from a letter now in the hands of the chairman of this committee, from Dr. Herbert M. Nash, one of the gentlemen connected with the purchase :

“The barge (Selden) originally built for a propeller, had just been thoroughly overhauled by her owner. I recollect that there were but two pieces of planking in her deemed defective, and these were subsequently replaced. All *judges of such matters* here deemed the amount paid for her very reasonable. After the house built upon her deck to accommodate the sick was finished, she was not only comfortable, but in every way suited to the purpose for which she was intended. The barge was under my charge as quarantine physician for one or two seasons, and if she had been kept where it was intended to moor her during the prevalence of infectious sickness, in comparatively smooth water either in Hampton Road, between Craney Island and Newport News, or in Little Bay,

just inside of Willoughby's Point, she would have lasted indefinitely, especially if she had been coppered. When carried over to the exposed position she occupied at Fisherman's Island, of course her upper works were a disadvantage during *high winds and seas*; but she was finally wrecked by having a hole stove in her bottom by her own anchor through the culpable negligence or mismanagement of those in charge of her."

The wreck referred to by Dr. Nash occurred after the transfer of the vessel to the Marine Hospital Service.

B. P. Loyall, secretary of the Board of Quarantine Commissioners, testifies :

" I hereby certify that I examined the barge Selden before and after her completion for quarantine use in smooth water, and found her admirably well suited for the purpose in every particular. It was regarded by the Board of Quarantine Commissioners as the most prompt and inexpensive way in which the question of a receptacle for quarantine patients could be met."

W. H. Murdaugh, of Norfolk, Va., says of the Selden :

" She was purchased by the National Board of Health for \$2,500, which I considered a low price for her. At the time of the purchase I was the president of the Board of Quarantine Commissioners of this district, and, having been a naval officer the greater part of my life, the purchase and fitting out of the vessel was done by me at the request of the National Board of Health. * * * If ever there was a faithful job of work done for the Government this purchase and fitting out of the Selden was one. She was a sound, serviceable vessel, and had she been fitted for my own use I could not have made her cost me one cent less than she cost the Government."

2d. The Mississippi Sanitary Flotilla was also stated by Dr. Hamilton as having been found worthless when he had it taken down to New Orleans. These launches, barges, &c., were used by the National Board of Health for three years below Memphis, and did good service in preserving commercial in-

tercourse between New Orleans and the river cities, as well as in effecting their primary purpose of being always on guard to prevent the invasion of the interior by yellow fever from New Orleans. Its value in these respects was fully appreciated by the people of the Mississippi Valley, as may be seen by a reference to the testimony of the various railroad and steamboat transportation agents, and that of the Memphis Cotton Exchange. (See Annual Report of this Board 1880, page 630, *et seq.*)

Just before this property passed from the hands of the National Board of Health, the Board of Health of Shelby County Taxing District, which includes Memphis, applied for permission to use a portion of it in continuing the inspection system. A more definite proof that this flotilla was not worthless could not well be given, as the Memphis Board knew by an experience of three years the character of the floating property and the uses it subserved.

It seems, however, that there is a tendency on the part of Dr. Hamilton to condemn everything which belongs to the National Board of Health. He even went so far as to condemn the site of the Ship Island Refuge Station, either because it was selected and established by the Board, or because he was too ignorant of the essentials of such a station to recognize the superior advantages of Ship Island. At his instance the Secretary of the Treasury directed Captain Thos. W. Lay, of the Revenue Marine, to survey the coast and report upon this matter. The following is that officer's report:

"After a full consideration of all the requirements of a quarantine station, * * * we have decided to recommend Ship Island, in Mississippi sound, as the best located and only island that possesses these advantages. * * * I will also state that there is no other island in the vicinity of the passes, within my knowledge, that can be used as a quarantine station."

Since this report was rendered we have heard no more from Dr. Hamilton concerning the ineligibility of the Ship Island site.

3d. Dr. Hamilton criticised the Board for its action in purchasing the patrol hospital boat, the Benner. This boat was purchased in 1879 with the intention of using her as a patrol boat, and especially for visiting places on the river reported as infected, but which are remote from railroad communication. Without a boat of this kind it would have been difficult to obtain access to such places within a reasonable space of time, since none of the steamboats plying on the river would land at them for fear of being quarantined thereafter at other ports.

4th. The Board was also called to account for the sinking of two launches, one while being towed down the Ohio river, and the other at Memphis. I fail to see the connection between these accidents and the constitution or operations of the National Board of Health. Dr. Hamilton, by some remarks intended to be humorously sarcastic, tried to throw the responsibility of the loss in the one case on the naval member of the Board. Such insinuations do not require attention from me, and Dr. Turner is well able to protect himself. In the other case the launch was run into by a passing steamer.

5th. As one instance of the culpable extravagance of the Board, it was stated that a member of the Board, Dr. Verdi, was paid \$300 for an essay on the diseases of the lower animals. At a time when much public interest was felt in cattle disease the Board, under the requirement of its constituting act, which calls for investigations into all matters pertaining to the public health, desired to inform itself concerning this special subject; and, as Dr. Verdi had experience in this line of inquiry, he was placed formally on duty to investigate and report on the subject at a subsequent meeting of the Board. Dr. Verdi was not paid for his so-called essay. The law of March 3, 1879, prescribes that when a civilian member of the Board is on duty on the work of the Board, he shall be paid at the rate of ten dollars a day. The Board had nothing to do with settling the amount to be paid to this gentleman; his pay was prescribed by law. He was occupied thirty days in the inves-

tigations needful to the preparation of the report, and the law, not the National Board of Health, paid him a per diem of ten dollars.

6th. Another instance was given, wherein the Board is held up for censure in that it employed Col. Waring to write concerning sewer-traps. Col. Waring, with the permission of the Committee, will himself reply to this.

But this charge of high payments for "essay writing" has already been shown to have its basis in misrepresentation. It was preferred at the suggestion of Dr. Hamilton by Mr. Ellis, of Louisiana, last February, in Congress, and was met by Messrs. Manning, of Mississippi, and King, of Louisiana, as may be seen by the Congressional Record of Wednesday, Feb'y 21, 1883, pp. 73-80.

7th. The names of some men prominent in sanitary matters in their respective States were mentioned by Dr. Hamilton as employes of the Board, and it was charged or suggested that this accounted for their interest in its welfare. The names and reputations of these gentlemen ought to have protected them from such a slur. Was Elisha Harris, of New York, over whose recent death the sanitarians and medical men of the country are now grieving, a man to be bought for the remainder of his life by a few weeks' employment as a special inspector? The whole tenor of his life is opposed to any such slanderous supposition. He is dead. I reply for him. John H. Rauch, of Illinois; Wirt Johnson, of Mississippi, and Professor Kedzie, of Michigan, are alive, and would answer Dr. Hamilton in stronger terms than I employ were they face to face with him.

It has been a principle consistently carried out by the Board to obtain for any work on hand the men best qualified to execute it. Thus it came that prominent men were employed by the Board, and not unknown and untried nobodies.

8th. Dr. Hamilton stated that the Board of Health had not

the support of the medical men of the country, but only that of a small clique of interested sanitarians. When this Board first appeared before your committee, Mr. Chairman, to show cause why H. R. bill 2785, now before you, should meet with favorable consideration, there was submitted to you a list of associations, medical and sanitary, medical societies, and State and local boards of health, which had come to the support of the National Board when Congress, through agencies which are not so obscure now as they were then, failed to appropriate for the continuance of the work of the Board.

Among these associated bodies—27 in number—are to be found the leading medical societies of the country, as the New York Academy of Medicine, the New York County Medical Society, and the College of Physicians of Philadelphia.

9th. Dr. Hamilton seemed desirous of showing that there was dissension in the councils of the National Board of Health, that some of its members believed with him that the executive of a national quarantine should be in the hands of the Marine Hospital Service. He conveyed a just tribute to the honorable record, ability, and reputation of Dr. Stephen Smith, the Vice President of our Board, and read a sentence or two from a letter from that gentleman which seemed to support him in his views for the aggrandizement of his bureau. This can hardly be considered a charge against the Board or its membership, but as it requires a word of explanation I refer to it.

That letter was written by Dr. Stephen Smith at a time when he recognized that the health interests of this country, as represented by the Board of Health, were in danger of being ground into the dust by the opposition and strong influence of the Marine Hospital Service. He desired to ascertain if anything in the way of a compromise could be effected which would save the Board of Health to the country. If, for instance, by an acquiescence in the transfer of the quarantine work the opposition to the other work of the Board might be removed, and it be permitted to live shorn, indeed, of much

of its powers for good, but with much yet remaining; but on further consideration he closed his correspondence with Dr. Hamilton. Dr. Stephen Smith is, and always has been, thoroughly in earnest and *en rapport* with the other members of the Board in this matter. He is not here, but has transmitted a communication, which will be found on p. 17, *et seq.*

10. I find that I personally have been charged, while Secretary of the Board, with packing the Public Health Association at its Indianapolis meeting to secure favorable action towards the Board of Health. The facts in this case are as follows: I was appointed unexpectedly a member and Secretary of the Board at a time when its prospects appeared dark. I investigated its history—its records—and found them unsullied by any doubtful transaction. I investigated the cause of the opposition to it, and learned, chiefly by conversations with the member from the Marine Hospital Service, that it arose from the desire of that bureau to obtain control in quarantine matters. In fact, the member from that bureau made no secret of this desire. I learned, also, that an effort would be made by certain parties to secure the passage of resolutions jumped on the Association, which would necessitate the resignation of the Board of Health. It appeared to me my duty to the Board—a legally-constituted body—to spoil this scheme, and I did so by notifying the members of the Association that the affairs of the Board would come up for discussion. A copy of the communication which I issued has been submitted by Dr. Hamilton.

11. I find myself again held up for censure, in that, during the Brownsville epidemic, I employed myself, as Secretary of the Board of Health, in writing to those at Brownsville whom I deemed inimical to the Marine Hospital Service, to find out flaws in its administration, and the mayor of Brownsville was indicated as one of my correspondents. At the outbreak of the epidemic I communicated with the mayor of the city by telegraph, requesting accurate information concerning the con-

dition and needs of the people. I received full replies. When the Executive Committee of the National Board of Health met I submitted these telegrams, but it was considered that the epidemic fund at the command of the Marine Hospital Service was better able to sustain this tax upon it than the meagre fund with which the National Board had to support the Ship Island and other refuge stations. I therefore transmitted the telegrams to Dr. Hamilton, who personally thanked me, saying they came in time to enable him to fit out his relief ship judiciously. These were the only communications I sent to or received from Brownsville during the epidemic. I had no other communication with any one in or near the city until February 20, 1883, when I received a letter, dated February 12, from Dr. Happersett, of the army, stationed at Brownsville, informing me that Mayor Carson of that city had sent a letter to the President of the National Board of Health, and asking me to lend my influence to publish it. I shall read a few sentences from this letter :

"I have just read a paper by Hon. Thos. Carson, mayor of Brownsville, containing answers to questions relating to the work of the Marine Hospital Department here in the late yellow fever epidemic and propounded by the mayor of Pensacola. As the paper presents an entirely correct view of the whole conduct of the matter, he is now sending it to the President of the National Health Board, and I hope you will lend your influence to publish it, especially as, it seems to me, the Marine Hospital Service bases its chief claim to public recognition on its valuable labor here. Outside of the personal labor of the medical gentlemen who came here under its auspices, I cannot see a single advantage either to the community or the country. * * * Personally I entirely agree with the views of Hon. Thos. Carson."

Shortly after I received this letter a telegram arrived stating that the packet had been sent to me instead of the President of the Board. On its arrival I communicated its contents to a gentleman who has been all along a staunch friend of the Board of Health, and his advice confirmed me in the opinion

that Mayor Carson's letter should go before the public over his own signature and without any endorsement by the Board. Therefore I did not bring the letter before the Executive Committee of the Board, but endeavored, as a private individual, to have as wide a publicity given to it as possible. Doctors and sanitary men were anxious to know all about the resort at Brownsville to the expensive measures of an armed cordon, and I individually concurred with Dr. Happersett that, in view of the credit claimed by the Marine Hospital Service, the other side should be heard.

Dr. Hamilton endeavors to undervalue Mr. Carson's testimony by saying that he is a man of no prominence and does not own a foot of ground in Texas. Cities do not usually make mayors of such men. He says Mayor Carson's views are not entertained by the people of Brownsville. This seems strange, in view of the fact that Brownsville has *two* newspapers, and only *two*, and both of these entertained the views of the mayor. Are we to suppose that neither of their newspapers represented the feeling of the people of Brownsville as regards this matter?

The Rio Grande Valley of March 18, 1883, gives Mayor Carson's letter in full, and reiterates the charges in an editorial, which closes thus :

"The National Board of Health is the only proper vehicle through which the Government can act in the prevention and suppression of epidemics. From the date of its organization up to one year ago the National Board did what the M. H. S. never could do, prevented the spread of yellow fever, although there were isolated cases every year. By employing the best physicians on the frontier a watch was kept on the fountain-head in Mexico, and it is a singular fact that while there were a few cases of black vomit every year, there was no spread of the fever, and it was kept under the most perfect control. But the useful had to give way to the ornamental machine of the voracious Treasury Department, and the matter became one of votes and politics instead of humanity. The National Board did with one man what, with this peculiar frontier population, the Marine Hospital Service cannot do with 100 men.

We have had both methods here, and we know by experience. Deliver us hereafter from the methods of the machine in hours that try men's hearts."

The *Cosmopolitan* of March 20, 1883, characterizes Mayor Carson's letter as—

"A straightforward statement of facts. The utter inefficiency of the Marine Hospital Service in this section was set forth. * * * The value of the cordon was accurately stated. * * * It was of value inasmuch as it left \$17,000 among our people. * * * In the way the Marine Hospital Service was run here during the epidemic we firmly believe that it did far more harm than good, and we believe it unfitted to cope with any epidemic of any kind successfully."

Dr. Hamilton, unsustained by the public press of Brownsville, and in expectation of adverse criticism, has gathered supporting signatures from this section wherein, according to his own account, he expended in a short time over \$49,000. I made no inquiry by letter or otherwise into the shortcomings of the Marine Hospital Service, neither during the epidemic nor after it; yet testimony of the character I have now submitted came to me unsought. The members of the National Board of Health knew nothing of Mayor Carson or his views until his letter was sent by me for publication to the *Sanitary Engineer* of New York.

12th. It was charged that the Board of Health of Pensacola, Florida, was a protégé of the National Board, and that as the one permitted yellow fever to enter the city the other must be held responsible. The Pensacola Board was no more a protégé of the National Board of Health than any other of the hundreds of local boards in the country, which the National Board of Health was required by act of Congress to aid when their own resources proved inadequate. The National Board aided Pensacola to the extent of its ability. The local authorities, as allowed by Dr. Hamilton, prevented the spread of the disease. Supplies were furnished by the voluntary contribu-

tions of the people all over the country ; but money for the payment of skilled nurses and for the purchase of disinfectants was not on hand. The National Board promptly furnished the disinfectants from the stock remaining on hand after the Memphis epidemic, and agreed to furnish the city with nurses for the sick. The sum of \$9,100 was paid for this purpose on vouchers giving the name of each person employed, the period of service, and rate of compensation, all of which was sworn to by the Secretary of the Pensacola Board. Dr. Baillache, the representative of the Marine Hospital Service on the National Board, is personally cognizant of these facts, and voted for the payment of these bills when rendered. One other bill was received from Pensacola. The Board sent Dr. Martin, of the navy, to that city to investigate the origin of the epidemic. While thus employed he was taken sick, and was attended by Dr. Hargis, who rendered to the Navy Department a bill for \$150 for professional services. The First Comptroller having given his opinion that the bill could not be paid from funds appropriated for the Navy, it was referred by the Department to the National Board, and was paid by the Board, the member from the Marine Hospital Service voting affirmatively on the question of payment.

13th. Dr. Hamilton charged that the appropriation for the local board of health was a corruption fund, and that it was understood that these boards were to support the hands that fed them. To sustain this charge his only specification is that at Pensacola, after the epidemic had entirely ceased, a requisition was made on the National Board of Health for \$2,000, which requisition was honored and the money distributed among the friends of the Board. It surprises me that Dr. Baillache, the member of the Board from the Marine Hospital Service, who showed his interest in the progress of the investigation Thursday last by correcting his superior when he made a mistaken statement with regard to the purchase money of the barge

Selden, should have remained seated while Dr. Hamilton committed this egregious mistake. Dr. Baillache was a member of the Executive Committee of the Board at that time, and was well aware that no such requisition was received, much less considered, and considered favorably, by the National Board of Health. The bills here submitted cover all the money expended at Pensacola, and Dr. Baillache, now present, knows it.

Lastly, with reference to the International Sanitary Conference of Washington, of 1881, I have the honor to present a note written by Dr. Jas. L. Cabell, the President of this Board and a U. S. delegate at the said conference :

“ In addition to other attempts to depreciate the official acts of the National Board of Health, and to arrogate to himself superior foresight and wisdom, Dr. Hamilton has made one statement which passes the bounds of sanity in the assumption that he alone had recognized a constitutional difficulty that had escaped the scrutiny not only of the Board of Health, but also of the National Academy of Sciences, both Houses of Congress, the Secretary of State, and the President of the United States, and it furnishes a fair sample of the conceit which unfits him for the delicate and responsible duties he desires to assume.

“ The American Public Health Association, composed of representatives from every section of the United States, had passed a resolution, at its annual meeting in November, 1878, to the effect ‘ that it is the duty of the general Government to invite foreign nations to co-operate with it in the establishment of uniform and effective quarantine regulations.’ By the provisions of the constituting act, approved March 3, 1879, the National Academy of Sciences was required to co-operate with the Board of Health in the preparation of a special report to Congress on the subject of quarantine. These two bodies recognized the great and inestimable value of international co-operation in such measures of preventive sanitation as might be most advantageously applied at foreign ports of departure to vessels about to sail for any port of the United States, but they equally recognized the fact that in conformity with the traditional and well-established policy of the general Government, it could not enter into treaty stipulations which might be construed as giving *free pratique* to

foreign vessels desiring to enter a port of the United States without the consent of the local authorities, or which would in any degree interfere with the police powers of the States. They accordingly abstained from making any recommendation in the precise direction indicated in the resolution of the Public Health Association, but sought to obtain some of the ends contemplated by the eminent sanitarians of that body by recommending the call of an International Conference, which should be invited to consider the means of establishing an international system of notification as to the sanitary condition of ports and of the vessels sailing therefrom. The recommendation was accordingly made in the first annual report of the Board of Health, and in a separate report made to Congress by the National Academy of Sciences. In compliance with this recommendation by the two bodies, a joint resolution of the Senate and House of Representatives, approved May 14, 1880, authorized the President of the United States to call an International Sanitary Conference to meet at Washington, to which the several powers having jurisdiction of ports likely to be infected with yellow fever or cholera were to be invited to send delegates for the purpose of securing an international system of notification as to the actual sanitary condition of ports and places under the jurisdiction of such powers and of vessels sailing therefrom.

"It is needless to say that the many distinguished jurists in the legislative and executive departments of the Government who took an active interest in this matter, and with whom the officers of the National Board of Health had frequent and repeated consultations, knew fully the import of the joint resolution, and had exhaustively considered it in all its bearings, and especially with reference to the limited powers of the general Government long before Dr. Hamilton had occasion to imagine that he had made a grand discovery. The recommendations of the conference were such as if carried out would not have interfered in the smallest degree with the rights of the several States. Especially is this true of the proposition submitted by the delegate of France, and voted for by the delegates of the United States, as found in Appendix B, pp. 153-4 of 'Proceedings of the International Sanitary Conference, &c., &c., 1881.'

"I add that the United States were represented in this conference by the Hon. John Hay, the Assistant Secretary of State, two members of the legal profession—J. Hubley Ash-

ton, Esq., and James Lowndes, Esq., of Washington city—and by the President and Secretary of the National Board of Health.

“That the recommendations of the conference were not at once made the basis of a convention to be submitted for ratification by the several powers represented in the conference was due to the fact that most of the delegates of foreign governments stated that they had no authority to make such a convention, and were only empowered to hold the resolutions of the conference ‘*ad referendum*.’ I add that this has generally been the case with similar international conferences, and that, nevertheless, the most beneficial results, indicating marked advances in international hygiene, have followed each of these conferences. In the case of the conference at Washington such results have been noticed not only in removing to a very considerable extent the difficulties which previously impeded our efforts to obtain trustworthy information as to the sanitary condition of foreign ports and vessels bound to the United States, but also in an improved sanitary condition of these great instruments of commerce which had so often been permitted to become the carriers of the most deadly contagia.”

LETTER OF DR. STEPHEN SMITH.

HON. LEWIS BEACH,

Ch'n Com. on Public Health, House of Rep.:

DEAR SIR: I learn that at a recent meeting of your committee my friend, Dr. J. B. Hamilton, Supervising Surg.-Gen. of the Marine Hospital Service, read a letter from me to him in relation to the question of the performance of quarantine duties by that service. The purport of that letter is liable to misconstruction if the circumstances under which it was written are not understood. I beg, therefore, the privilege of explaining to the committee the events bearing on the subject of that letter, as they came to my personal knowledge. I feel greater liberty in asking this favor, as the whole subject of the relations of the National Board of Health, and of the Marine Hospital Service, to the discharge of public health duties, seems to be under consideration by the committee. To do so intelligently, however, I must refer to the history of the creation by Congress of a National Board of Health. With that history, from the first suggestions of a National Board of Health to the present, I am personally familiar.

For a quarter of a century I have been interested in the efforts of sanitarians to introduce into this country the health laws and organizations of England, which have so marvellously improved the health of her communities. But it required twelve years of incessant work to secure the enactment of the law that gave New York city its present excellent and popular board of health. Seven years of duty as member of that board convinced me that its efficiency and success depended upon the fact that it was a *board* having a membership representing various sanitary interests. It required fifteen years of agitation to secure the law which gave the State of New York a board of health, which is now one of the most popular branches

of the State Government. These facts, which can be indefinitely multiplied, show the persistent efforts required of the pioneers of this reform to create adequate health organizations.

But as result of this agitation for reform in the administration of public health affairs, nearly every city in the country has now an active and efficient board of health, and thirty States have equally efficient boards of health. It is to be noted as an important fact, bearing upon the kind of health organizations which is most competent to perform sanitary duties and most reliable in assuming the grave responsibilities incident to the functions of health authorities, whether municipal or State, that boards of health having a varied membership have always been preferred to health organizations having but a single head.

It is now upwards of twelve years since some of the more advanced leaders in sanitary reform became impressed with the belief that the system of health organizations of this country could never be complete until the following scheme was perfected, viz :

1. *Local Boards of Health*, to protect the individual and families from domestic causes of sickness and death.

2. *State Boards of Health*, to prevent the spread of domestic contagious diseases by co-ordinating the work of local boards, and co-operating with them, and the removal of the causes of disease which extend widely over the State.

3. *A National Board of Health*, fully empowered, 1st, to investigate the causes and methods of prevention of domestic pestilences, widespread among the States and Territories, and aid local authorities in their suppression ; 2d, to prevent the introduction of foreign pestilences into the country and their spread from one State into another, by co-ordinating the operations of State boards, and co-operating with them ; 3d, to examine and determine public health questions of international importance.

In the opinion of several gentlemen, the time had then

come when it was proper to make the effort to secure from Congress the legislation necessary to the organization of a National Board of Health. Accordingly a meeting was held in Washington, to which representatives from the Army, Navy, and the Marine Hospital Service were invited. The conference continued two or three days. The discussion of the subject developed the fact that there was much jealousy between the Departments at Washington as to which would be most prominent in the new organization. The contest lay chiefly between the representatives of the Army and Marine Hospital Service, both of which finally took strong ground against any plan which did not make their respective service the central figure of the proposed Board. The conference closed without accomplishing anything farther than requesting Dorman B. Eaton, Esq., of New York, author of the New York City Health Law, to prepare a bill creating a National Board of Health. Mr. Eaton prepared a bill, which was very nearly in the terms of the bill creating the present National Board of Health. As this bill placed the Departments on the same footing in the Board, the Army and Marine Hospital Service both rejected it, and it was never presented to Congress. From that time until 1879 both the Medical Department of the Army and the Marine Hospital Service endeavored to secure from Congress such legislation as would make their respective services most prominent in sanitary work. The Medical Department of the Army was authorized by Congress to investigate the quarantines of the United States and the outbreak of cholera in the Southwest, and the Marine Hospital Service was empowered to establish quarantines where none existed, &c.

The great epidemic of yellow fever of 1878 brought the whole subject of a National Board of Health prominently forward, both before the public and before Congress. The American Public Health Association, which represented all the sanitarians and boards of health in the country, became the special medium of the public health interests in securing

legislation. A great variety of bills were introduced into Congress, organizing a health bureau, and the whole subject was most thoroughly discussed in Congress and throughout the country. This was especially true of the question, early raised and persistently urged, as to the propriety of conferring upon the Marine Hospital Service the necessary sanitary powers and duties. This scheme was rejected by the Public Health Association, by all sanitarians with one or two exceptions, and, finally, by Congress. The bill which passed created a board of health composed of seven members appointed by the President and Senate, and four members, *ex officio*, one from each of the Departments, viz., Med. Dept. of the Army, Navy, Marine Hospt. Service, and the Dept. of Justice.

This constitution of the Board was originally provided by Mr. Eaton in the bill referred to, who, from personal examination of the health organizations of Europe, and as author of the health law of New York city, brought to the task of preparing a bill organizing a National Board of Health unusual skill and experience. Theoretically no better method could be devised of creating a board which at once was representative in its character, and combined the several departments on an equal and equitable footing. Practically, the wisdom of the originator of the plan of creating the Board has been fully demonstrated. The members appointed by the President were all eminent in the sections of the United States which they represented for practical personal knowledge of the administration of health laws and familiarity with epidemic and pestilential diseases, and the members *ex officio* brought to the counsels of the Board the varied knowledge and experience of the Army, Navy, Marine Hospital Service, and Dept. of Justice. The law was so drawn as to enable the Surg.-Gen. of the Army, the Surg.-Gen. of the Navy, and the Surg.-Gen. of the Marine Hospt. Service to be detailed as members of the Board. Dr. Woodworth, then Surg.-Gen. of the Marine Hospt. Service, expressed to me his intention of personally represent-

ing his Service, and doing all in his power to make the National Board of Health a "grand success."

It is proper for me to say in this connection that among the bills before Congress during the session was one which associated a board of health with the Marine Hospital Service, with ample powers to perform sanitary duties. I had reason to believe for a time that this was the only health measure that would pass Congress, and as it answered in many respects the purposes which we had in view, I favored it, in common with Dr. John M. Woodworth, Supervising Surgeon-General of the Marine Hospital Service, who was an old and valued friend and coworker in the field of sanitary reform. But the bill was rejected, together with others of a similar nature, and all the health duties and powers hitherto conferred upon the Marine Hospital Service were transferred to the new Board of Health. On the day following the passage of the constituting act, viz., March 5, 1879, Dr. Woodworth was seized with a fatal illness and died a few days after. Dr. Woodworth had labored incessantly during the session of Congress to secure to the Marine Hospital Service the proposed Health Department, but failing, his health broke down completely. With his death all opposition ceased, and the National Board of Health assumed the position and the functions of the central health organization of the United States.

It was a matter of general congratulation among the sanitarians of this country and of Europe that the great national sanitary questions which our Government must now consider were to be committed to the judgment of a board of health with a diversified membership rather than to a bureau with a single head. England had but recently abolished its Health Department with a single head, and transferred all the powers and duties to a *board*, though its previous health officer was the most eminent sanitarian living. And experience has amply proved the wisdom of Congress in finally rejecting a single-headed bureau, and adopting the plan, now universally recognized in Europe and in thirty States of the Union, of commit-

ting all health powers and duties to a well-organized board of health. For it must be borne in mind that the duties of a board of health are rather deliberative than executive.

The members appointed represented not only the varied sanitary interests of different sections of the country, but they were experts in a knowledge of the epidemics peculiar to their respective sections, and of the best measures of prevention. In the conflict which the Board had to enter upon soon after its organization with the great epidemic of yellow fever of 1879, the immense value of the efficient counsels and personal services of the members, familiar with the peculiarities of the scourge, and of the people afflicted, was daily apparent. Nor did the Board prove to be an unwieldy body in the execution of its duties. On the contrary, by the organization of an executive committee, composed chiefly of resident members, who could be summoned in council in ten or fifteen minutes, not only was there a rapid despatch of business, but every item had the careful consideration of at least four expert men, one of whom was the Solicitor-General. Twice in each year the whole Board met and reviewed the past work of the executive committee, projected the future operations of the Board, and deliberated with the greatest care and patience upon those new and untried subjects which involved vital questions of public policy. And from large experience in similar bodies, I take the liberty of adding that, while there was often the greatest diversity of opinions expressed on individual subjects, there was always the most perfect acquiescence in the conclusions reached. This diversity in the discussion of sanitary questions shows the importance of a board in determining the policy to pursue in the administration of health laws, while the unanimity of the board in carrying out the decisions of the majority proves that the organization is admirably adapted for its purposes. The records of the Board will prove to any one familiar with State medicine and the problems which it presents, that during the four years of its active existence the National Board of Health has repeat-

edly been required to determine public health questions of national importance which could never safely be left to the arbitrary decision of any single person. If it is true, as alleged, that a board of eleven members, seven of whom are appointed by the President for their special fitness for their duties, and four are elected from the Departments of the Government for like qualifications, is liable to, and actually does, commit grave errors of judgment, and mistakes in execution, what dangers must beset such public service when all its delicate and responsible duties are entrusted to the unaided judgment of a single person. And as a result of the deliberations of that Board the policy of the General Government, in preventing the introduction of foreign pestilences into this country, and their spread from one State into another, has become the most enlightened and the most successful of any nation in the civilized world. I refer to—

1. The method of securing a good sanitary condition of ships.
2. The projected plan of international notification of the sanitary condition of foreign ports.
3. The system of refuge stations for infected vessels bound to ports of the United States.
4. The scheme of sanitary inspections of steamboats and railroad cars, to secure such cleanliness and freedom from infection as will interrupt travel and traffic to the least possible extent during the prevalence of an epidemic.
5. The system of securing the vaccination of emigrants at foreign ports and on shipboard.
6. The system of railroad inspections of emigrants to prevent the spread of small-pox.

After two to three years of successful work, during which the Board had apparently gained the confidence of sanitarians and sanitary authorities, at home and abroad, I learned from my friend Dr. Hamilton, the successor of Dr. Woodworth as the head of the Marine Hospital Service, that he regarded all the duties relating to quarantine, conferred upon the National

Board of Health by the law of June 2, 1879, as properly belonging to his Service. It was in response to expressions which seemed to me antagonistic and foreshadowing a determination to seek the necessary legislation to secure his object that I deprecated any hostile movement against the Board as liable to end in a loss of all that had been gained. As a measure which would place both departments in harmonious relations, without loss to the efficiency of either, I revived the project in the bill already alluded to, and which was favored by Dr. Woodworth, of combining the two services. Such was the purport of the letter read to the committee.

It must be distinctly understood that the basis of the plan of uniting the two services which was suggested, was that sketched in detail in the Stanley Matthews bill of 1879, which organized a National Board of Health in connection with the Marine Hospital Service.

In submitting this compromise measure I did not intend to indicate that I was dissatisfied with the National Board, or that the consolidation of the two services would be an improvement. On the contrary, as I have already intimated, I believed the plan of organization of the present Board the best that had been, and perhaps could be, devised. It is a representative body, and hence far more in harmony with our forms of government than a bureau with a single head; it combines in its membership every variety of knowledge necessary to judicious decision, and in its action has the force and precision of a single hand. Nor do I believe that its duties and powers should be curtailed or transferred to any other branch of the public service. The Board has fully demonstrated its ability to solve the problem of preventing the introduction of foreign pestilences into this country, and their spread from one State into another; to aid judiciously local and State boards of health in their efforts to suppress epidemics, and to organize and conduct exhaustive investigations into the causes of diseases of national concern. But more than this, all the health powers and duties of the General Government should be conferred upon and ex-

erised by one branch of the public service, which should be fully equipped for the purpose. Divided responsibility must end in inefficiency and failure. It is doubtless true that the War Department could organize and manage a very good navy, and the Navy Department could organize and manage a very good army, and thus one department could be abolished. And equally, the Marine Hospital Service could manage very well a health department, and the National Board of Health could easily administer the affairs of the Marine Hospital Service. But no one doubts that such consolidation of entirely different branches of the public service would tend to confusion, inefficiency, and, finally, complete failure. If one branch of service is to assume the duties of another, it must also organize all the details of the service so assumed. Nothing is, therefore, gained in economy, while much must necessarily be lost in efficiency.

The compromise was suggested solely to prevent what I foresaw would be a contention among friends, liable to degenerate into detraction, ridicule, and unseemly personalities, and which could only result in great injury to the public health service. The history of sanitary legislation proves that State medicine is a plant of slow and uncertain growth. Boards of health are too often organized on the approach or during the prevalence of great epidemics, and when popular alarm is at its height. They cope successfully with the scourge, the public is gratified, and due credit is given to the health authority. But when the danger is past and the same board that suppressed the epidemic labors quietly and unseen to create such conditions as will prevent the possibility of a return of the epidemic, the inquiry begins to circulate in official circles "To what purpose is this waste?" "What need is there of this useless and expensive appendage to the Government?" Then comes the period of detraction and ridicule through which every health board must pass before it can be sure of permanency. Its best preventive measures, and its most useful and successful investigations into the hitherto

unknown causes' of the sickness and death of the people, are held up to ridicule in legislative halls "amid roars of laughter and applause." Few boards of health pass through this period of detraction and ridicule without being crippled in their resources and largely deprived of their power for usefulness. Jenner's appeal to Parliament for assistance, after his discovery of the great preventive of small-pox in the udder of the cow, was received with unbounded ridicule and jeers. Pasteur's discovery of the infinitesimal germ that destroyed the flocks and herds of France, after an immense amount of labor in experiments, was at first received with ridicule in official circles. Koch's announcement of the discovery of the germ that causes consumption is to-day the subject of intense ridicule, in spite of the probability that this disease, which annually destroys more human beings than any, and, in some latitudes, more than all other diseases combined, may be either prevented or cured.

My earnest wish and purpose in the attempt at conciliation was to save the National Board of Health from the perils to which it would be exposed in the infancy of its work if another department assailed it with the weapons always available against boards of health in seasons free from epidemics. For this reason, also, I was anxious that Dr. Hamilton should carry out the purpose of his predecessor, Dr. Woodworth, and himself be detailed to represent his Bureau in the Board. I was persuaded that if he personally shared the labors and responsibilities of the other members in the work of the Board, no antagonism would ever arise between these two branches of the public service. If, indeed, the Board has proved defective or delinquent in any particular feature of its organization or operations which could have been prevented, or remedied, by his counsel, judgment, experience, or aid, his failure to act as a member, and thus by his good offices supply, what the law contemplated, the full and cordial support of the Marine Hospital Service, is certainly much to be regretted. But the Board should be exonerated from the charge of culpability for such defects and delinquencies.

In conclusion, I beg to say that this letter has been written in the spirit of a long-existing friendship for the medical officers of the Marine Hospital Service, for whom I entertain the highest personal and professional regard. But it is my profound conviction that the interests of the people and of sanitary science will be best served by conferring all public health duties and powers, now and hereafter to be exercised by the General Government, upon the National Board of Health.

Respectfully submitted.

STEPHEN SMITH.

NEW YORK, *Feb. 26th*, 1884.

Col. WARING, Secretary of the National Board of Health, submitted the following:

MR. CHAIRMAN: In order that there may be no misunderstanding as to the precise ground taken by the National Board of Health in its argument in favor of the control of quarantine matters being placed in its hands, I ask permission to set forth very succinctly the different points made.

Let me, at the outset, call attention to the fact that the representatives of the Board came here with no other purpose than to explain to the committee why and how it is qualified properly to perform such duties as pertain to the control of epidemics.

It was only after the question of the opposition of the Marine Hospital Service had been distinctly presented to us by the chairman of the committee, as one that it was desired to have discussed, that any member of the Board spoke on that feature of the case.

The issue being thus raised, it became necessary for us to meet it by showing the relative qualifications of the two agencies properly to perform the limited duties of the National Government in connection with the quarantine powers belonging to and so jealously guarded by the several States.

The National Board of Health was organized for the protection of the health interests of the nation. It consists of seven civilian members, representing different sections of the country, all but one of them physicians, two of them well-known yellow fever experts, all selected for their special fitness for this duty, appointed by the President and confirmed by the Senate; also three Government medical officers and an officer of the Department of Justice. It has no other duties than such as relate directly to the preservation of the public health. The prevention of the importation of disease from abroad and into one State from another is a most

important factor of the public health problem, and quarantine, so far as it comes at all within the jurisdiction of the General Government, should be under the control of this body.

The Marine Hospital Service consists of one medical officer appointed by the President and confirmed by the Senate, and other employés engaged by the Secretary of the Treasury, and employed for a single specific duty—the cure of sick sailors. Their services are paid for, not by the Government, not for any general purpose, but by sailors only, and only for the cure of their own sick, the Government merely making up deficiencies in supplies, hospitals, etc. Reference has been made to the all-pervading facilities of the Marine Hospital Service for meeting the invasion of disease. It has properly no facilities whatever except curative ones. It can properly use, to protect the country against the invasion of contagious and infectious diseases, neither its hospitals nor its physicians, who are hired by sailors through the Government as their guardian. For quarantine work it must use other agents and other appliances,—as it has used, during the past year, the agents, appliances, and methods established by the National Board of Health.

In other words, the National Board of Health is a body organized especially for sanitary work, and fully qualified for the performance of whatever quarantine duties it is proper for the General Government to undertake. The Marine Hospital Service is a special body, organized and maintained for certain specific work, with which quarantine work is not only not in harmony, but is directly antagonistic.

Only as bearing on the question as to the fitness of the Marine Hospital Service for the administration of quarantine duties, I desire to specify my reasons for having said that in his quarantine work the Supervising Surgeon-General of that service has been injudicious and unskillful.

It was injudicious for an officer representing a department of the Government to contract, as Dr. Hamilton undertook to do, with the health board of the city of Pensacola, that if it

would perform its sanitary and quarantine the work under direction and control of the Assistant Surgeon of the Marine Hospital Service, the United States Treasury would pay the cost of that Board's work in removing garbage, cleaning streets, and opening drains and gutters. He was estopped from carrying out this scheme by his superior officer.

It was injudicious to recommend, as Dr. Hamilton did, the abandonment of the Ship Island Refuge Station and the establishment of a substitute therefor on Grand Gosier Island. This recommendation was referred by the Treasury Department to a competent marine officer, who reported that Grand Gosier Island was absolutely unfit for the use, and that Ship Island was the only suitable place for a refuge station in that neighborhood, and was, as he demonstrated, admirably adapted for the purpose. (See report of Captain T. W. Lay to the Secretary of the Treasury, December 19, 1883.)

I believe that Dr. Hamilton's management was unskillful at Brownsville, because he did not apply his efforts to the most complete depopulation possible of the infected locality, especially when he had before him the success of that method in the treatment of the epidemic at Memphis in 1879; and that he was especially unskillful in his work at Ship Island and at Pensacola in 1883.

I owe the committee an apology and an explanation for my action in introducing a personal element into its deliberations after the Marine Hospital Service had been brought into the discussion. I did this because I believed that Dr. Hamilton would abstain from appearing before you unless lashed into doing so by distinct charges so publicly made that they could not be disregarded. In him I knew was centered the only effective opposition to the National Board of Health, and it seemed to me altogether proper that his opposition should be exerted openly before this committee rather than, as has been his practice hitherto, at the button-hole. To this end only did I here accuse him of misrepresentation, and only to secure this end did I make the communication that I did to the Associated

Press of the country. Having succeeded in drawing from him a full statement of his case, I now proceed, in my own justification, to establish, as I think very completely, my charge that in his attempt to influence public and official opinion he has been guilty of misrepresentation.

Incidentally I would say that this is not to be considered as a side issue. It has a direct bearing on the fitness of the Supervising Surgeon-General of the Marine Hospital Service for the management of the delicate relations between the General Government and the sovereign States, which government interference with quarantine excites, which are always so sensitive to the effect of the least indiscretion, and which can be successfully handled only with the utmost fairness and frankness.

Distinct statements were made to me by the Secretary of the Treasury, which were not founded in fact, and which he could not have invented. They were that the National Board of Health had spent over \$700,000 in one year, which it had not done, it having spent much less than that in three years, including its extensive and important work at Memphis in 1879; and that it had turned over to local authorities more than \$60,000 *in money*, when it should have disbursed its funds only on vouchers, approved by its own officers—the only way in which it has *ever* disbursed one dollar of public money.

I assume, of course, that Dr. Hamilton was directly or indirectly the source of the Secretary's misinformation. If he was not, I withdraw this specification.

We have the authority of a member of the 47th Congress for saying that Dr. Hamilton was the source of information on which he based specific statements as to the character, amount, and effect of certain expenditures of the National Board of Health. I have placed in the hands of the chairman of the committee evidence that these statements were incorrect. I have given him a copy of each "essay," with a statement of the amount of compensation and expenses, showing important variations from the items given on the floor of the House of Representatives, and specific corrections of other errors. These

erroneous statements were intended to be, and they were, injurious to the National Board of Health. One of them was that the Board had spent \$65,000 at Ship Island, and had to show for it only two ordinary buildings and the inspection of *nine* vessels in two years. In fact, there were six buildings adequate to the work of an active refuge station, a wharf nine hundred feet long, a steam launch, a sailing vessel, and other property, while nine times nine vessels were inspected in the two years referred to, besides a number in the year before.

The statements made by the same member, as he said on Dr. Hamilton's authority, concerning the Board's expenditures for scientific investigations, were misleading and unfair. They grossly misrepresented the real facts of the case.

Having allowed these misstatements to be made in his own interest and on his own authority, Dr. Hamilton became doubly responsible for them.

It was a misrepresentation, in fact, for Dr. Hamilton in his preliminary report (1882) to quote an opinion approving the use of cordons at Pensacola, where the cordon was placed around the navy yard to keep yellow fever *out* of that locality, in apparent support of his action at Brownsville, where the cordon was used to keep the yellow fever and the material on which it was to feed within the cordon.

It was misrepresentation, in fact, to publish through the Associated Press the announcement that the Secretary of the Treasury had decided that the act organizing the National Board of Health had expired by limitation. If Dr. Hamilton is not, directly or indirectly, responsible for such publication, I withdraw this specification.

I think that a sensitive desire not to be placed in a false position should have induced Dr. Hamilton to ask the agent of the Associated Press to hold his hand in such of his dispatches of 1883 as circulated throughout the country the general belief that by the action of the 47th Congress the National Board of Health had "ceased to exist."

The foregoing is substantially what I said at the first meet-

ing of the Committee: Dr. Hamilton's remarks before you enable me to extend my specifications.

He said he thought that the cheeks of the members of the National Board of Health ought to tingle with shame as they listened to him. I do not expect him to experience the emotion of shame at the recital of his own conduct, but it has been shameful nevertheless.

Let me explain what I mean by misrepresentation. I call it misrepresentation of the worst sort for one occupying the chief position of an important public bureau, and at the same time performing the duties of an instructor of youth, to make use of the prestige thus given him, both to set forth facts in a perverted light and to disregard facts in his statements.

It is a fact, as Dr. Hamilton said, that I was commissioned by the National Board of Health, and it was at my own suggestion, to make an investigation concerning drain-traps, also that I then had a patent trap of my own. The impression he attempted to produce was that I, the Secretary of the National Board of Health, had made an improper use of my employment by the Board to advance my own interests. I was not then even a member of the Board.

When my report was received, the Board, considering the important character of the subject, submitted it to two other engineers to have my experiments repeated under other conditions. The report of this second set of trials shows much variation from my results, and modifies my deductions. In this matter the Board was surely cautious and considerate.

The full report of my investigations had long been before the public, and has been widely and frequently discussed by sanitarians. A careful accuser would have learned something of the case before using it as an evidence of impropriety. The simple fact is this, and my report shows it clearly: Neither my own trap, nor any like it, was in anywise investigated or reported on, or affected by, the experiments or the report. I made that investigation in a purely scientific spirit, for the benefit of the public and of my own reputation only, *and en-*

tirely without compensation. To pervert these facts, which he knew or could have learned very easily, as Dr. Hamilton has done, was a shameful proceeding.

Dr. Hamilton has charged the National Board of Health with using public money in its hands to corrupt leading sanitarians and local health officers. This charge is false, and knowingly false. As he very well knows, the law required the Board to confer with the National Academy of Sciences. The Academy committee advised the making of investigations into certain scientific matters affecting sanitary questions, and the Board accepted the advice. It naturally and necessarily had recourse for this work to the best and best known sanitarians of the country, whom it engaged for valuable services, paying them, not for their friendship or favor, but for services rendered, the payments being approved and ordered by the Executive Committee, of which Dr. Hamilton's representative, Dr. Baillache, was a member concurring. I leave the committee to form its own conclusions as to the motive which may have actuated Dr. Hamilton in preferring a charge of disgraceful conduct on a collateral department of the Government, and in implicating in that charge men of such standing as Dr. Elisha Harris, Dr. Kedzie, Dr. Rauch, and Dr. Wirt Johnson. It seems to me that recklessness in misrepresentation could go no farther.

He has charged the Board with paying Dr. Verdi \$300 for writing an essay of a few pages. This is false. The Board put Dr. Verdi on duty to make researches in an important matter affecting the public health. He reported the result of his researches in the paper to which reference has been made. For the time thus occupied Dr. Verdi was paid, according to the law organizing the National Board of Health, his regular per diem and nothing more. He would have been entitled to the same had his report been a simple "yes" or "no" to a question propounded for investigation, and Dr. Hamilton knows this perfectly well.

He has told you that he was called in consultation by the

Board, and that this showed that that body considered him a sanitary authority. It showed nothing of the kind. He had been administering the quarantine law of 1878 for a year or more, and he was called in consultation because it was supposed that his experience in the matter would have qualified him to give valuable aid in connection with the Board's work. When he was asked to make suggestions as to the proper course for the Board to pursue, did he do so in a generous spirit and with due consideration for the interest of the public? Far from it. He was doubtless already scheming to regain the conspicuous position that the law of June 2d, 1879, had taken from him. He had been told in a letter of the Secretary that the Board desired to obtain the results of his experience in the execution of the former law, "to receive such suggestions as to the course to be taken" as he might give, and to examine his blanks, forms, &c.

At the meeting of the Board which he attended in response to this invitation, the minutes show that he expressed himself as ready to give any information he could relative to what had been done, but as far as his making any suggestions as to future operations was concerned "he could not do it for many reasons." One of these reasons, doubtless, was that he hoped that the Board would, largely by reason of the obstructions that he might be able to place in its path, and if he withheld such suggestions as his experience had enabled him to give, fail to do satisfactory work.

It is misrepresentation to base a reputation for a good sanitary standing on this—concealing the real facts and covering them with the courteous letter that any public body would naturally address to any public officer of good repute, as Dr. Hamilton then was.

As to the regulations which he says he disapproved, and which his disapproval caused the President to return for amendment, he had seen them before they were first sent to the President, and his representative had aided in preparing them. Why did he not have them made right at the outset? Why

did he not? Because this would have given him no occasion to pretend, as he now pretends, that his sagacity was a chief factor in their proper construction. As a matter of fact, nearly all of his suggestions were rejected, and, with a single exception, those which were accepted were trivial, generally a mere improvement of the wording, and the suppression of some requirements not suited to the mercantile marine, though enforced in the navy.

Dr. Hamilton read you a letter from Pensacola, charging the Board with sending \$2,000 to that city for distribution among physicians. He read this letter impressively, and he meant the committee to believe it.

He himself knew it to be false.

When he wanted to give weight to an anonymous news item, clipped from a medical paper, which he adduced in his preliminary report on Brownsville to defend his much criticised *Cordon Sanitaire*, he signed it "Chas. Smart, Secretary National Board of Health."

Dr. Smart had not signed it, nor had it been published in connection with his name, nor as his statement, nor as the Board's.

Every accusation that I have made against the Supervising Surgeon-General of the U. S. Marine Hospital Service is susceptible of absolute proof, and the proof is mainly before the committee. I submit, in all seriousness, that one whose methods are so uncontrolled, even by judiciousness or by skill, is disqualified for the management of the public health interests of the nation.

Dr. Hamilton's misrepresentations before you concerning Brownville, the Mississippi fleet, and the barge Selden, I leave to Dr. Smart's demonstration. In no single important point at issue has he tried to give you the impression that would have been given by a more scrupulous and fair-minded man, whatever might be his personal bias.

He has from the outset done his utmost to bring discredit upon the National Board of Health and to secure to himself,

through the influence of the Treasury Department, the disbursement of moneys appropriated for quarantine work. There is no evidence with which I am acquainted that he has ever attempted to perform the obvious duty of a public officer, which was to use his influence, if he used it at all, in such a manner as to increase the efficiency of a regularly constituted branch of the public service. He used it always to serve his own ambitious ends.

Happily he has far overshot the mark.

Remarks submitted to the Committee on Public Health of the House of Representatives in support of House Bill 2785, by THOMAS SIMONS, member of the National Board of Health :

Mr. Chairman and Gentlemen of the Committee :

I wish, as a member of the National Board, to state my views of the case before you.

I was detailed to that position by the Attorney-General under the constituting act, on December 13, 1882, and had no previous knowledge of the operations of the Board. Nearly everything that has been discussed before you took place before that date. In speaking of such matters I have to rely on records and statements before you, and on information from the records of the Board and from my associates, data which seem to me to be entitled to credit until otherwise shown. Since becoming a member I have tried to acquaint myself with the main facts, at least, in the history of the Board, and have seen nothing therein to reflect upon its integrity, nor, so far as my judgment extends, upon its administrative capacity. In advocating its cause I am not conscious of any feeling or motive in what I shall say other than that the truth should be known and right be done.

The primary and, I think, only question before you is, whether H. R. bill 2785, or some equivalent measure, shall be favorably reported. That bill contains the chief provisions of the act of June 2, 1879, chapter II, which expired by limitation June 2, 1883, and which, in brief, gave the Board certain authority respecting interstate and maritime quarantine. The bill is advocated by the Board on the ground that it is for the public good that such authority be renewed, and this because—

First. The grant of such authority was and is a wise and expedient measure.

Second. It was faithfully and efficiently executed.

Proof of these propositions will make at least a *prima facie* case.

On the first point I assume that you do not require proof that Congress acted understandingly in 1879, but the letter of Dr. Stephen Smith and the Board's report of 1883, (pages 26 to 33,) before you, fully set forth the history of that legislation. I assume, further, that as Congress has not failed since 1879 to make *some* provision for aiding local authorities to prevent and suppress epidemics of contagious or infectious disease, I need not defend the policy of such legislation; and that leaves only the question whether an organization like this Board is better fitted to carry out the purpose of such laws than any other agency.

I would recall to your memory what was said by Dr. T. S. Verdi on that subject, and refer also to the letter of Dr. Stephen Smith, before mentioned.

It would seem on principle that in matters of such importance and delicacy as those in question, the judgment of a number of experts in council ought to be more surely trustworthy than that of a single person, however well informed. The almost universal practice of entrusting such authority to "*boards of health*" is the best evidence that this presumption accords with human experience in matters affecting the public health as in other relations. It is the verdict of common sense.

The real matter you wish to ascertain, I venture to say, is that which is indicated by the second point, namely, whether this Board has in all respects discharged its duty under the act of June 2, 1879.

1. The presumption is in their favor. If you examine the list of members composing the Board during the pendency of that act, you will find some names of great reputation in medical and sanitary science and in connection with the special subject of the act. Incapacity, neglect of duty, or malfeasance cannot be predicated of them. Their colleagues are not less entitled to the presumption of innocence of wrong and of attention to their duty.

2. They do not rely on this alone, but produce the evidence of what they have done as recorded in their official reports of their action under that statute from beginning to end. There are five of these, (not very lengthy without the appendices,) which they beg you to read or examine, as it would be impossible in the limits of an address like this to adequately state their contents.

A few of the leading facts shown are that before July, 1879, yellow fever, which had raged in Memphis in 1878, broke out there again, and the new powers of the Board were taxed to the utmost degree in combating the disease at that and other points in the Mississippi Valley.

No one has undertaken to say before you that its duty in that crisis was not faithfully and efficiently done.

The Board took measures forthwith to assist in excluding the introduction of that disease from foreign parts by establishing refuge stations at exposed points on the coast, and in such other measures as are detailed in its reports.

In 1880 and 1881 there was no epidemic of yellow fever in this country. It is a reasonable presumption that the action of the Board aided in securing that immunity.

In 1882 Congress appropriated only \$50,000 to be expended by the Board under said act, (act Aug. 7, ch. 433,) an amount insufficient to enable it to conduct all the service required that year. Yellow fever prevailed as an epidemic in Pensacola and Brownsville. The Board maintained its system of inspection and refuge stations, and specially assisted the local authorities at Pensacola. I do not understand that any one has asserted before you that the National Board was responsible for the outbreak of disease at that point, or did not render prompt and effective aid within its means there.

In 1883 Congress appropriated \$10,000 only for pay and expenses of its members, and failed to continue the act of June 2, 1879.

It would seem, on this showing, that the Board executed this act faithfully while it existed, and though no one has

charged here that these manifestly successful results were obtained at an extravagant cost, I refer you to the report of Nov. 28, 1883, (pages 97 to 99,) containing a tabulated statement of the expenditure of each fiscal year, the aggregate to June 30, 1883, being \$639,446.19, which, considering the time covered and the results obtained, will be found a very moderate amount.

3. The Board has also laid before you testimonials of confidence and commendation from a large number (twenty-seven) of the leading medical and sanitary authorities and associations of the country, as set forth in the letter of its secretary annexed, (Appendix A,) which they believe are entitled to your consideration, as indicating the opinion of those especially qualified to judge of their work and its results.

This was the case which the Board made before you at your session of January 31st, and on which it rested, but the Committee, being apparently advised that opposing influences had been exerted against the Board in respect to this subject-matter, very naturally and properly inquired as to their source and as to the reasons for the action or inaction of Congress heretofore in the matter.

The members of the Board present were gratified that the opportunity was presented of expressing their views on that subject. The President said that the apparent indisposition of the preceding Congress to sustain the Board by renewing the act in question, and in other respects, was due, in the opinion of the Board, to doubt and distrust excited in the minds of members of the House more especially, by statements prejudicial to it, made by the Marine Hospital Service, through its chief officer; that these statements were put in circulation privately, and were unknown to the Board until brought forth by some member in the crisis, perhaps, of a debate, when the Board could have no opportunity to present its defence; that the only noticeable opposition to the Board since its creation had come from the said Service and from the Louisiana State board of health, and that the hostility of the

Hospital Service was apparently based on the repeal of the act of April 29, 1878, chapter 66, and the transfer of the powers therein given to that Service to the Board by the act of June 2, 1879, since which there had been, as he believed, a persistent effort on the part of the representatives of that Service to undermine the Board, with a view to supplant it in the administration of those powers. He hoped the Committee would take measures to obtain the attendance of the Surgeon-General, so that the Board could answer such objections or charges as he might present, and that they would investigate the other matters referred to so far as they should regard them as material.

The Committee agreed that if the Surgeon-General had aught to say against the Board it was desirable for them to know what it was, and proper for the Board to have the opportunity of answering it, and it was decided that he should be requested to attend at the next meeting for that purpose. By inadvertence the notice was not given by the Committee, but information of its action was given to his office by the Secretary of the Board.

On February 7th the Committee met, and six members of the Board attended, but no representative of the Marine Hospital Service was present. The President presented a written statement of the reasons for approving the bill in substance as informally given at the previous meeting.

The chairman said the Committee desired to know further why the Board was and the Marine Hospital Service was not best qualified to conduct the service contemplated by the bill. This point was accordingly taken up by members of the Board, one of whom, in comparing the merits of the two agencies, said that the Treasury Bureau ought not to be preferred, because the Surgeon-General, at its head, had in his opinion been injudicious and unskilful in the connection he had had with such operations, instances of which he cited. He said, further, that the Surgeon-General had sought, through the agency of the press and before Congress and otherwise, by misrepresentation

to injure the Board in order to benefit his Bureau, and for that reason also his administration of such affairs was not to be desired. The President also filed a written statement touching the inquiry of the Committee, which it was not intended to present unless the course of the discussion should seem to justify it.

I have stated the manner in which, as I recollect it, the personal features in the above statement on behalf of the Board were introduced, in order to consider their actual and possible bearing on the issue before you, and the position of the Board in that matter I understand to be this :

Theoretically the merits of the Surgeon-General as an administrator of quarantine are not involved, because Congress has not since June 2, 1879, given him any authority of that kind, but practically they may be so considered, since the Board claim he has always been a contestant for such authority, and the President has for two years delegated to the Secretary of the Treasury his power under the so-called epidemic fund provisions in the appropriation acts of 1882 and 1883, while the Secretary has put his subordinates in charge. At all events, the Committee, in calling on the Board to show why they should be preferred to the Marine Service, seem to regard that Service as entitled to consideration in the premises, and the Board were desirous to satisfy the Committee on that as on all points.

If, then, for any reason it was pertinent to institute a comparison between the Board and the head of the said Service, it must be apparent that to allege that that officer has been injudicious and unskillful in his administration of the delegated authority was as directly in point as for that officer to make similar charges against the Board.

It seems to me the inquiry of the Committee was pertinent, because it was apparent that the controversy would sooner or later come to that point. If the Committee should disregard it and report the bill on the merits of the Board alone, the question would no doubt be raised in the House ; and it would

be better if the Committee could say that they had investigated the matter in every aspect.

The Board was and is especially anxious to have it so examined, because they feel that they have suffered great injustice heretofore for want of such full and deliberate consideration. It is unreasonable to suppose that such a controversy can be properly decided in the hurried debate on some clause of an appropriation bill in the last days of a session, and yet that, the Board says, was the only opportunity that was given at the last session for consideration of their case, though the question before you was then pending, and they had earnestly endeavored to get it examined by the then Public Health Committee of the House, as the annexed statement of the late Secretary will show. (Appendix B.)

The question will arise in this connection whether the Board is justified in going so far as to make a charge affecting the moral character of the head of the Hospital Service, it being in substance that of wilfully misrepresenting the acts of the Board to members of Congress, and otherwise to injure it and benefit himself and his Service.

It is greatly to be regretted that there should be any such feature in the discussion, and if it does not bear on the matter to be decided it ought not to be entertained. Whether it does or not depends, I submit, on two things :

First. If it is material to consider the fitness of the Surgeon-General to discharge such duties as are in question, I do not see how the element of moral character can be excluded, for if he has done that which is charged he is not trustworthy.

Second. If it be material in anywise to regard the action of the last Congress as affecting the present issue, then the Board have clearly the right to show, if they can, that the misrepresentation mentioned caused or influenced the result, or may have done so.

I am somewhat embarrassed in this matter by having to put my remarks in writing for future submission, on account of the absence of a quorum at the last meeting of the Committee,

because I had intended, in orally addressing you at that time, to omit or refer to these personal considerations as you should direct in connection with such a limitation of the subject of inquiry. I shall endeavor to say what I think ought to be said under the circumstances in support of the views of the Board on that phase of this case as briefly and fairly as I can.

In the first place, however, the charges made by the Surgeon-General of the Marine Hospital Service against the Board, when he appeared before you on February 7th and 14th, should be noticed, as they, at all events, are material to the issue.

The list may be fairly regarded as exhaustive, for the following reasons: The maker has had an officer of his staff sitting as a member of the Board from its organization to the present time, and openly aiding him before the Committee, so that nothing has been done by the Board that he presumably does not or cannot know. If the Committee find that he has long desired and sought to get possession of the Board's power in respect of quarantine, it proves that he has had the strongest of motives, self interest, to inform himself of all the acts of the Board and to make use of his information against them. The Board believe that he has had that object and motive and the means of knowing their acts fully, and they thought that if he would come before the Committee and make his statement it would know all that could be said against them. He has come and told, as we understand, all he had to tell, and I proceed to consider the charges made.

Those affecting the integrity of the Board in the discharge of its duty are the most serious, and should be first noticed. The Surgeon-General said:

"The appropriation in aid of local boards of health is, in its nature, a corruption fund, nothing more. It means, whenever a board of health applies for money, that board of health gets the money. They are bound to endorse the hand that feeds them. They cannot help it. That is one of the conditions. If that is the policy of this Government, a disbursing

clerk is all that is necessary to carry out the objects of such an appropriation. If I must draw a check, if a check must be drawn by anybody in favor of a local board of health for so much money, Mr. Kelly could just as well draw the check as to have, from time to time, eleven dignitaries to authorize him to draw it."

The appropriation spoken of has been made by Congress every year since 1879 in terms for aid of local boards of health, among other things, and for two years past it has been in charge of and disbursed by the Surgeon-General himself. For the two preceding years Congress put it in charge of the Board, and as there was no epidemic in those years, it was not touched. (Report 1883, page 100.) The Board has given aid to State and local boards applying therefor in proper cases out of the appropriation made by Congress for the general purposes of executing its powers, and out of an appropriation of \$50,000 for that purpose, made in 1882, and the amounts so expended in each year, are shown in its reports. (Report 1883, pages 97-98.) You will see there that about \$90,000 was expended in aid of State and local boards during the yellow fever epidemic of 1879, and that the expenditures given for that purpose have been: In 1880, about \$15,500; in 1881, about \$5,000, and in 1882, when there was an epidemic at Pensacola, for maintaining refuge stations and aid at that place, about \$50,000. (Report 1883, p. 97.)

Of course the general operations of the Board in maintaining the refuge stations and inspection service were indirectly in aid of the various health boards of the region protected, but that is not the form of aid which I understand to be impeached.

I do not know what is meant by the language quoted unless it is a charge that the Board has used the appropriation above named, or any appropriation applicable to aid of local boards as a corruption fund; that it has granted every request of a local board for money without regard to the actual requirements of the case, exacting as a condition that the recipients shall endorse the hand that feeds them.

This is a grave charge, and it ought to be well proven to enable the Committee to find that eleven persons of presumably good repute, one of them an officer in the Surgeon-General's own service, sitting beside him at the time he spoke, have been guilty of it. No proof of it whatever has been tendered—no single instance has been specified when that was done, directly or indirectly—so that the Board can only defend itself by denying it in the most emphatic manner, and pointing you to the above-mentioned facts, which indicate, if they do not demonstrate, its baselessness.

It is implied also in the charge that the practice of the Board was to draw its check for so much money in favor of the local board, leaving the disbursement to the discretion of the local board. The Board say no such thing was ever done. The purposes for which aid was desired were in all cases required to be stated, and were considered and approved before any amount was allowed therefor. The Board's circular No. 7 annexed (appendix C) shows how carefully such expenditures were guarded. The Surgeon-General, it would seem, must have known that the business was done in this way, and yet his language was apparently intended to convey the impression that it was done otherwise, and in a negligent, if not an illegal, manner.

The animus of this charge seems to be directed against the testimonials of confidence in the Board given by State and local boards, in common with other medical and sanitary associations before mentioned. The records of the Board show, as I am informed, that but four of the twenty-seven bodies represented have applied for and received aid, and of the unaided residue ten are State and local boards. Eleven boards that were aided are not represented among the twenty-seven. These facts alone are a sufficient refutation of the charge.

In this connection the Surgeon-General also charged that such testimonials, or some of them, were given in consideration of the employment by the Board heretofore of certain of the signers, and the names of four prominent sanitarians were mentioned who had at some time received compensation from

the Board for service rendered to it. Of course there was no proof of any understanding of the kind insinuated, and of course it ought not to have been insinuated unless proof was at hand. The persons named were employed in matters which their skill and experience made them particularly competent to investigate and care for, the details of which will be found in the reports of the Board. (Reports for 1879, 1880, 1883.)

It is not claimed that they were given more than just compensation for their services, but the fact that made it proper for the Board to desire their service is taken as the basis of an intimation that both parties were actuated by improper motives.

There was another statement made touching the integrity of the Board. The Surgeon-General read a letter from the mayor of Pensacola charging, as I recollect, that the Board, after the epidemic had ceased, sent some \$2,000 there to be divided among certain of its friends. This letter, it may be presumed, would not have been read unless the Surgeon-General intended the Committee to understand that in his opinion the charge was true or was likely to be true.

The best answer to this is to put before you the facts as contained in the communications annexed. (Appendix D.) The whole record, with accounts and vouchers, is at the service of the Committee. You will thus be enabled to see not only the falsity of the particular charge, but also the manner in which the Board received and responded to the applications of local boards for aid, and that the representative of the Marine Hospital Service was cognizant of and took part in what was done. Under such circumstances, it would seem that the Surgeon-General ought, before presenting such a statement, to have ascertained the facts from his assistant.

The remaining charges of the Surgeon-General bear on the wisdom and efficiency of the Board. They have been quite fully answered by Dr. Smart in his statement, and I shall refer to them very briefly.

The Surgeon-General criticised the Board as to the cost of the barge Selden, without knowing apparently what she did

cost. It is not certain, therefore, whether he would contend that \$2,500, for which she was bought, was too high, or how much too high it was. It does not appear that he saw her or knows her condition and value when bought in 1879. The Board furnishes the statements of those who did see her then, and who know those facts. (See letters filed.)

The Surgeon-General also charged that certain of the barges and other vessels which the Board had employed in connection with its work on the Mississippi river were worthless, and had been sold last year by direction of the Secretary of the Treasury.

The experience of the Board in the epidemic of 1879 was such as in its opinion to make it advisable to purchase and fit up a steamboat as a hospital boat, with launches, barges, and flats for inspection and other service along the course of the Mississippi. (Report 1883, pages 54 to 56.)

They regarded these appliances as invaluable in case of an actual epidemic at any point on the river, and as coming, therefore, within the category of necessary preparations for such a contingency. They might well have been held accountable if they had waited until an epidemic was declared on the chance of being then able to procure suitable steamboats and other craft for their service.

These vessels the Board employed for three years usefully in their opinion, and in that of the communities benefitted by the service; and when Congress last year failed to give the Board the means to use or preserve their property, it offered the custody and use of that property to the President for the public benefit. The Board does not believe that any of it was worthless when transferred, and think that their rights in it should have secured for them at least the courtesy of a notice of the intention to sell it. Dr. Smart shows (p. 4) that the Shelby County Board of Health was desirous to obtain the custody and use of a part of this property, which the Board submits is better evidence of its worth than the statements of the Surgeon-General.

The difficulty in this, as in other cases, is to discover what is charged—whether it is meant to assert that there was no occasion for such a service, or whether these vessels were not adapted to it, or were worthless when originally bought, or for what other reason.

The charge that the Board paid Dr. Verdi \$300 for writing an essay of eight pages has been answered by Dr. Smart and the secretary, (pages 5–22.) It turns out that the facts are not at all such as the Committee would be led to suppose from the statement. The writer was put on duty to investigate and report on a certain subject, and if he was engaged thirty days, (the time for which he was paid,) the law fixed his compensation.

To make anything out of these facts as against the Board the Surgeon-General should show that Dr. Verdi falsely charged for thirty days' service when he had not rendered it, and that that was known to the Board, which he certainly has not done.

The charge that the Board engaged Colonel Waring, (not then a member of the Board,) who had a patent on some form of drain-trap, to report on that subject, is as ill-defined as the rest. As he was not paid for his services the Surgeon-General must have intended to charge that Colonel Waring had some improper motive or object in the matter, which the Board shared, arising from the fact that he had a personal interest in the subject. The facts stated by Colonel Waring (pp. 20, 21) show that even if the Board had been aware of that interest there would have been no impropriety in his or their action; but it is needless to discuss that question when it is not proved nor even alleged that the Board knew it.

This completes, I believe, the list of charges made against the Board. To summarize them there is substantially but one charge affecting the integrity of this Board, namely, that it has bought the expressions of confidence and commendation from various medical and sanitary associations laid before you by a system of illicit grants of money or bribes of employment. Though not expressed in these words, that is the substance of what was said.

The individuals in and out of the Board affected by the charge belong, for the most part, I believe, to the same honorable profession as the person making it; they are entitled to the presumption of good character and motive, and the Committee will judge how far that has been affected by proof of the contrary.

There are, besides, four charges, seemingly directed against the judgment of the Board in making certain expenditures and employments. So far as intelligible they appear to be as trivial as they are unfounded.

This review, I submit, justifies the exertions of the Board to secure this investigation before you. You can realize, perhaps, how much of suspicion and prejudice might be excited by *ex parte* statements, such as you have heard, made against the Board, and how great a wrong might be effected thereby. Now you have heard (as Congress has never done) the Board and its accuser face to face, with time to investigate and deliberate, and the Board confidently looks to you for its vindication, hoping that if any point has been overlooked in charges that they answer, with one exception, from recollection of what was said before you, their attention will be seasonably called to it.

I proceed to consider the charge of misrepresentation before mentioned, and I shall refer to it only in connection with the action of Congress affecting the Board.

The Board thinks it will not be denied by the Surgeon-General that he has always been of the opinion that the powers and duties in question should belong to his Bureau rather than to the National Board, and that he has sought to bring about that result. His right as a subordinate official to act in that direction may be questioned, but, letting that pass, he should of course be responsible for what he does.

The debate in the House on the sundry civil appropriation bill on February 20, 1883, (vol. 14, Cong. Rec., 3015,) shows that upon an amendment offered in the interest of the Board, a member opposed it strenuously, and said among other

things: "Yet I regret to say that from documents in my possession, taken from their own books, it is demonstrated that they are not only incapable of dealing with the problem transmitted to them, but they have frittered away the public moneys appropriated for them in some instances, it seems to me, uselessly and foolishly, not to say extravagantly. It is a source of regret to me that I am obliged to give to the public records facts such as are before me." A tabular statement was introduced, which is headed, "Essays written by order of the National Board of Health under the law authorizing 'investigations,' some of which were printed," and comments on the items in it were made, the purport of which is apparently that the money was illegally paid for writing essays instead of for investigations, and that some at least of these were on subjects outside of the legitimate duty of the Board.

He further said as to the station at Ship Island:

"What have they done at Ship Island? They have erected two very ordinary board buildings, which at the outside, as I am informed, could not have cost more than \$6,000 or \$8,000 all told. By their own report, they have inspected in the last two years nine vessels, and they present to the Government a bill of \$65,000."

A member questioned the speaker as follows, (3021:)

"My colleague has gone into what he calls a statement of facts relating to the expenditure of money by that Board. I would be glad if he would answer me one question, and state from whom he derived the information upon which he has made his statement here?

A. "From the books of the National Board of Health."

Q. "Did he get that statement officially?"

A. "They came from a member who took them from the books of the National Board of Health."

Q. "Was he in charge of those books?"

A. "I give them upon the authority of Surgeon-General Hamilton."

These citations show that alleged facts were stated in de-

bate before the House purporting to be taken from the books of the National Board by one of its members, and produced by the speaker on the authority of the Surgeon-General of the Marine Hospital Service, and used by him in the debate as justifying his strong denunciation of the Board.

I assume, of course, the truth of the member's responses, and also that this information was furnished to be used, as it was used, against the Board. If it was not substantially true, or if it was so imparted as to convey a false impression, it may be justly regarded as wilful misrepresentation, because the Surgeon-General had abundant means of knowing the truth, and was especially bound to state it where a misunderstanding of the matter would benefit him.

In the remarks of members immediately before and after the passage last cited will be found stated the facts as they were alleged to be on the part of the Board. I am informed that, owing to the limitation of time for debate and the unexpected direction of the attack, those members were unable to inform themselves on the matter in time to answer fully during the debate, but obtaining the facts very soon after from the Board, incorporated them in their remarks as printed in the Record, so that the Board did not really get the benefit of the defence before the matter was acted on in the House.

You will find also in the reports of the Board a full account of the investigations conducted, in connection with which the alleged "essays" were written, as well as the facts relating to the Ship Island station, and will be satisfied, I think, that the criticism was unjust, and the member misled in making it. (See Reports 1879, pp. 9-10; 1880, pp. 4-6; 1881, pp. 7-10; 1882, pp. 3-8; 1883, pp. 92-94; 1882, p. 17.)

The heading of the tabular statement indicates particularly the intent to misrepresent the nature of the matters included, and this table, as I understand the statement of the member, is the production of the Surgeon-General, or of the member of the National Board referred to, and who must be the representative in the Board of the Marine Hospital Service. It is impossible to doubt that this table was made up and supplied

to produce the impression that the Board had, under the pretence of conducting investigations under the constituting act, been paying large sums of money for different and unauthorized objects. If this was not the fact what will you say of the action and motives of those who made and furnished such material to be used against the Board—one of them being a member of the Board? No fair-minded person would consider that the unfavorable action of the House on the amendment, under such circumstances, should weigh against the Board.

The intent to misrepresent the facts as to the expenditure at Ship Island seems also to be plain. It can hardly be doubted who was the member's informant. The facts, as represented, were not true, as has been shown in the Record referred to and by Col. Waring's statement, all of which can be ascertained, if questioned, from the records of the Board. If the informer did not know the facts he had the means to know them, and is responsible for perverting them.

The debates in Congress in the preceding session on the same bill give evidence of the same kind of opposition, (vol. 13, Cong. Rec., 5750, 6892, 6950,) but it is needless to multiply instances of what must be self-evident, that the Board has had certain powers which the Surgeon-General has coveted and endeavored to obtain. The methods employed by him the Board believe to have been unfair, and so they claimed before you the right to know what was alleged against them and a full investigation of the whole matter.

I have but little to add to what has been said by other members touching the want of judgment or skill of the Surgeon-General. I am not qualified, of course, to give an opinion on a question of medical science, such as is involved in the Brownsville discussion, and will merely state the case.

The Board say that the sanitary cordon employed there was not the best method of treating the epidemic, considered scientifically and on the ground of expense, and that is all the charge, as I understand. It cost about \$49,000, it seems, and

the Board say the cordon feeds the disease by shutting the people in the infected place, when it is better and more humane to allow the inhabitants, under proper precautions, to leave.

As to the agreement with the health authorities of Pensacola, I understand the fact to be that the plans of the Surgeon-General were not approved by his superiors. What purports to be a statement of the agreement in a newspaper article is filed with you, and the action thereon is doubtless of record in the Treasury Department, and accessible if disputed.

The Surgeon-General's action with regard to the Ship Island station is also criticised. He seems to have been for some reason so disposed to a change as to obtain a survey of the adjacent coast, which resulted in confirming the selection of the Board as the most, if not the only, suitable site. (See his annual report 1883, p. 59, and report of Capt. Lay, on file.)

Your attention was called to these things as bearing on the alleged fitness of the Surgeon-General to exercise the responsible duties in question, and, if correctly stated, they tend to show that in the exercise of his judgment in the discharge of such duties his plans have not been in these instances such as were or should be approved.

Some charges of a personal nature were made by the Surgeon-General before you against Dr. Cabell and Dr. Smart for alleged action of those members of the Board in its interest. The former answered on the spot, and the latter has answered in his statement on file. I do not deem it necessary to further consider matters not charged against the Board, unless the Committee should desire it. In that case the persons affected have the first right to be heard, but I am ready to state my views.

In common with other members of the Board, I desire to express my thanks to the Committee for its patient attention to what has been said before it and its disposition to give the parties a full and fair hearing.

Respectfully submitted.

THOMAS SIMONS,
Member of the National Board.

APPENDIX A.

NATIONAL BOARD OF HEALTH,
WASHINGTON, D. C., *Jan'y 26th, 1884.*

HON. LEWIS BEACH,

Chairman Committee on Public Health :

DEAR SIR : Herewith I beg to forward for your information a number of resolutions, &c., giving expression to the approval of the action of the National Board of Health during the past few years.

The following is a list of the documents enclosed, and I beg that after their perusal by the committee they may be returned for the files of the Board :

State Boards of Health :

Alabama,
Connecticut,
Illinois,
Iowa,
Michigan,
New Jersey,
New York,
West Virginia,
Wisconsin.

Local Boards of Health :

Charleston, S. C.
Memphis, Tenn.
Norfolk, Va.
Pensacola, Florida.
Pittsburg, Penn.

Other Sanitary Organizations, Medical Societies, &c..

American Public Health Association.
Sanitary Council of the Mississippi Valley, 1882-'3.
Florida Medical Association.
College of Physicians, Philadelphia.
New York County Medical Society.
New York Academy of Medicine.
Newport Medical Society.

Newport Sanitary Protection Association.
 South Carolina Medical Association.
 Hancock County (Miss.) Board of Health.
 New Orleans Medical and Surgical Association.
 Orleans Parish Medical Society.
 New Orleans Auxiliary Sanitary Association.

Very respectfully, your obedient servant,
 (Signed) GEO. E. WARING, JR.,
Secretary.

P. S.—The Sanitary Council of the Mississippi Valley is made up of representatives of the health authorities of the following States :

Arkansas, Illinois, Indiana, Iowa, Louisiana, Mississippi, Michigan, Missouri, Ohio, Tennessee, and Wisconsin.

APPENDIX B.

I certify that on three or four occasions during the second session of the 47th Congress, I saw Mr. Van Aernam, chairman of the Public Health Committee of the House of Representatives, and urged him, on the part of the National Board of Health, to call a meeting of his Committee and request the Board to appear before it for the purpose of expressing its views on the advisability of re-enacting the law of June 2, 1879, or of preparing a bill as a substitute for it.

I certify also that having failed to get Mr. Van Aernam to take action in this matter, I called upon several of the members of his Committee, as Gen'l Rosecrans, of California; Mr. Cullum, of Illinois, and Mr. Aiken, of South Carolina, and represented to them, in like manner, the desirability of having the Committee meet for the purpose above mentioned.

CH. SMART,
Surg. U. S. A.

APPENDIX C.

Circular No. 7.

The following rules govern the action of the National Board of Health in co-operating with and aiding State and local boards to enforce the rules and regulations of such boards to prevent the introduction of contagious and infectious diseases into the United States, or into one State from another.

1. The regulations to be enforced are those of State and local boards, and must be such as are approved by the National Board. The National Board, in its circular published in its BULLETIN No. 48, May 29, 1880, has recommended certain regulations with regard to maritime quarantine for adoption by State and local boards; and in its BULLETIN No. 50, June 12, in 1880, pages 402-403, it has advised the adoption of certain regulations during the existence of yellow fever.

It should be observed that these recommendations embody general principles only, the end in view being to protect and promote the public health by measures which interfere with travel or traffic as little as possible; in other words, to render commerce *secure*; and (with rare exceptions) *not to put an end to or even suspend it*. In this connection it is proper to add that non-intercourse quarantines, especially by *local* authorities, are not approved by this Board.

2. Applications to the National Board of Health for aid should be made by or through the State board; or in case there is no State board, then by or through the governor of the State, and should be accompanied by a copy of the rules and regulations for enforcing which aid is desired.

3. An application for aid must give *details* of what is required, and the estimated cost of each item, and must be accompanied by an official certificate from the governor of the State or the mayor or other chief officer of the municipality, respectively, to the effect that there are no State or municipal funds available to carry out the particular sanitary measures to secure which the application is made.

4. The aid furnished by this Board to local authorities must, as a general rule, be applied to other objects than those of shelter and furniture. Where, however, it shall be otherwise ordered, the local authorities will be expected to account to this Board from time to time for the safe-keeping and proper use of the furniture, provisions, medicines, &c., so furnished.

5. Whenever this Board shall order the erection of temporary buildings, or provide any buildings for the purpose of quarantine, the necessary contracts therefor shall be subject to the approval of the Board or of its executive committee.

6. Care should be taken that the officers to be paid from funds furnished by the National Board are employed only in such number and for such time as there is actual need of their services. The National Board of Health reserves the right of judging from time to time, by means of reports received from its own agents, whether such need exists.

7. Funds are not furnished by the Treasury to State or local boards. They are placed in the hands of the disbursing agent of the National Board of Health, by whom bills, properly certified and approved, will be paid by check on Washington or New York. All bills must be in accordance with the estimates as approved by the Secretary of the Treasury, must be made out in duplicate on forms furnished by the National Board, and be *certified*, as to their correctness, by some authorized officer of the State or local board, and must be approved by some member or inspector of the National Board, duly authorized.

All bills for services rendered, or for articles furnished local or State boards, must be sworn to by the persons rendering the service or furnishing the articles.

The names of all persons whose services as inspectors, &c., are to be paid for out of its funds must be submitted to and approved by the National Board.

8. State and municipal boards of health which receive aid from this Board are requested to furnish weekly reports to this office of their operations, including copies of orders issued by them and of reports made to them by their quarantine and sanitary inspectors with reference to the occurrence of cases of yellow fever and to measures adopted for isolating such cases; such reports to be presented in a form suitable for publication in the *BULLETIN*.

It is expected that at the close of the season a full report will be made by boards of health to the National Board as to their operations in carrying out those rules and regulations in which the National Board has rendered aid and co-operation, and it is desired that copies of all orders issued from time to time to inspectors shall be promptly furnished to this Board.

It is to be remembered that a full account of its expenditures must be made by the National Board of Health to Congress, and such account must set forth these expenditures in detail, and exhibit their propriety and necessity.

APPENDIX D.

Action of the National Board of Health in the matter of the epidemic of yellow fever in Pensacola in 1882.

TELEGRAMS—EXTRACTS FROM EXECUTIVE MINUTES.

Telegram.] PENSACOLA, *Aug. 30, '82.*
Secretary Nat. Board of Health, Washington, D. C.:

We have had fifteen cases of yellow fever and three deaths. The disease is confined to a small portion of the city, and the board of health are doing all in their power to stamp it out. Our expenses are heavy, all our funds being needed for quarantine purposes. Should we need aid can your Board help us?

J. C. WHITING, *Sec'y.*

Reply:

Telegram.] WASHINGTON, D. C., *Aug. 30, '82.*
 J. C. WHITING, *Pensacola, Fla.:*

Send in accordance with Circular 7, Bulletin 51, vol. 2, estimates for such services and supplies as you may require.

SMART.

Telegram.] WASHINGTON, D. C., *Aug. 31, '84.*
 Dr. J. L. CABELL, *Hot Springs, Va.:*

Bailhache, Turner, Smart think duty of the Board to assist Pensacola; Smith did not answer. I have requested local board to send in estimates for needful services and supplies. They will want to commence operations immediately. * * *

SMART.

Telegram.] PENSACOLA, FLA., *Sept. 3, '82.*
 Dr. SMART, *Sec'y Nat. B'd of H.,*
Washington, D. C.:

* * * * *

Total mortality for the week, seven; five from yellow fever. No excitement and people very hopeful. If fever does not spread, will only need little aid. Will make up estimates as soon as we can. Will send you a daily bulletin.

J. C. WHITING, *Sec'y B. of H.*

Extract.] EXECUTIVE MINUTES, *Sept. 5, '82.*

The Committee met at 10 A. M. Present: Drs. Cabell, Turner, Bailhache, Gen'l Phillips, and Dr. Smart, Secretary.

* * * * *

The President stated that the authorities of Pensacola had in-

timated that they wished to apply for aid, and that they had been called on for estimates which have not yet been received.

Ordered, That the Secretary be directed to call a meeting of the members on the arrival of the estimates from Pensacola, and be guided in his action by the vote of the majority communicating the result to the absent members.

But if an agreement cannot be thus obtained, or if the circumstances appear to require it, the President shall be notified and a formal session called.

Telegram.] PENSACOLA, FLA., Sept. 5, '82.
Sec'y Nat'l Board of Health, W., D. C.:

One new case since my last report. No deaths. Letter by mail with estimates in accordance with circular 7.

WHITING, *Sec'y*.

Telegram.] WASHINGTON, D. C., Sept. 5, '82.
 Dr. JNO. C. WHITING, *Pensacola, Fla.:*

Telegram received. Awaiting further advices.

SMART.

Telegram.] PENSACOLA, FLA., Sept. 6, '82.
 Dr. SMART, *Sec'y Nat'l Board of Health,*

Washington:

No new cases to-day. One death. Will try and get estimates off to-morrow—was prevented to-day.

WHITING, *Sec'y*.

Telegram.] PENSACOLA, FLA., Sept. 7, '82.
 Dr. SMART, *Sec'y N. B. of H., W., D. C.:*

Ten new cases to-day. No deaths. Since outbreak of fever thirty-four cases and eight deaths.

Estimates forwarded.

WHITING, *Sec'y*.

Telegram.] PENSACOLA, Sept. 11, '82.
 Dr. SMART, *Sec'y Nat'l Board of Health,*

Washington, D. C.:

Please telegraph if our estimates for funds have been received. We are depending on you and are in immediate need of your assistance.

WHITING, *Sec'y*.

Telegram.] PENSACOLA, FLA., Sept. 11, '82.
 Dr. SMART, *Nat'l Board of Health,*
Washington, D. C.:

Twenty new cases to-day. Three deaths. Disease is spreading rapidly, and weather propitious for large increase. We will need funds in excess of estimate sent you and at once. The demand is urgent. Forty paid nurses on duty to-day. Sickness confined principally to persons without means. Wired you this A. M. As yet no reply. Please answer.

WHITING, *Sec'y.*

Telegram.] WASHINGTON, D. C., Sept. 11, '81.
 J. G. WHITING, *Sec'y B. H., Pensacola:*

Replied this A. M. If estimates do not come to-morrow morning will call for telegraphic synopsis. If they come you shall hear immediately, as we have been waiting for them for days past. We wish to aid.

SMART.

Telegram.] WASHINGTON, D. C., Sept. 12, '82.
 Dr. J. L. CABELL, *care Equitable Life,*
121 Broadway, N. Y.:

Estimates received; exorbitant in certain points; committee about to consider them. Would it be well to ask Bemiss to go to Pensacola to advise and supervise?

SMART.

Telegram.] WASHINGTON, D. C., Sept. 12, '82.
 Dr. JNO. C. WHITING, *Pensacola.:*

Estimates received. For street cleaning, laborers, and drays not approved. Disinfectants approved, but in meantime sulphur, iron, &c., will be sent from Memphis. Inspectors approved, and one hundred dollars a day for nurses. It is suggested that five dollars is too high when compared with inspectors' pay. Will write.

SMART.

Telegram.] WASHINGTON, D. C., Sept. 12, '82.
 Dr. FAYETTE DUNLAP, *Memphis, Tenn.:*

Ship to Dr. John C. Whiting, board of health, Pensacola, 40 barrels sulphur, 25 barrels copperas, and 20 barrels carbolic acid. Notify me when shipped.

SMART.

Telegram.] PENSACOLA, FLA., Sept. 12, '82.
 Dr. SMART, *Nat'l Board Health,*
Washington, D. C.:

Telegram received. We have thirty-six nurses on duty and will likely have more to-morrow. We will cut expenses down to lowest notch, but one hundred dollars per day will not pay for nurses. Disease confined principally so far to persons with little or no means, and, in addition to nurses, we have to supply provisions, medicines, &c. If Board is not disposed or able to help us let us know at once, so that we can make an appeal to the people. Our necessities are pressing and immediate. Twenty-two cases to-day and two deaths. Total cases, one hundred and fourteen, and nineteen deaths. We cannot estimate exact amount we need, but will account to you for every cent expended.

WHITING, *Sec'y.*

Telegram.] PENSACOLA, FLA., Sept. 12, '82.
 Dr. SMART, *Sec'y Nat'l Board of Health,*
Washington, D. C.:

Telegram received. We sent estimates by mail, stating that we had expended up to seventh inst. about fifteen hundred dollars for disinfectants, labor, and so forth. That our daily expenses were upwards of two hundred dollars. Since then fever has increased rapidly, and we have over fifty paid nurses on duty; besides, we have to supply rations to indigent persons. Have not solicited outside aid because we are depending on National Board. Send us immediately what money you can spare, and we will account for it. Nurses are charging five dollars per day, and hard to get. Expect some from New Orleans to-night.

WHITING, *Sec'y.*

Telegram.] WASHINGTON, D. C., Sept. 12, '82.
 JAS. L. CABELL, *care Equitable Life,*
120 Broadway, N. Y.:

Approved for Pensacola one hundred dollars daily for nurses and seventeen for inspectors. Disinfectants ordered shipped from Memphis. But this is not enough to satisfy wants. They require at least \$200.00. Shall we accede?

SMART.

Telegram.] WASHINGTON, D. C., Sept. 13, '82.
Dr. J. C. WHITING, *Pensacola* :

We think you can nurse your cases more economically by establishing hospitals, when \$100.00 for nurses would be more than enough. People with little means should go to hospital. People who can afford to remain at home should pay their own nurses. Shall I send you hospital tents?

SMART.

Extract.]

EXECUTIVE MINUTES,
Sept. 13, 1882.

The Committee met at 2 P. M. Present: Drs. Cabell, Turner, Baillache, and Smart. The minutes of the meetings held August 22d and Sept. 5, 1882, were read and approved.

* * * * *

Aid to Pensacola.

The Secretary submitted the estimates prepared and forwarded by the secretary of the city board of health, in accordance with circular 7, and stated that on their arrival a call had been made on the members of the executive committee to discuss them, and take action upon them, as authorized by the committee at its meeting on Sept. 5th, 1882. Drs. Baillache, Turner, and Smart responded, and the following reply was despatched :

"Estimates received. For street cleaning, laborers and drays not approved. Disinfectants approved; but in meantime sulphur, iron, &c., will be sent from Memphis. Inspectors approved, and one hundred dollars a day for nurses. It is suggested that five dollars a day to nurses is too high when compared with inspectors' pay."

The Secretary stated the Pensacola board was dissatisfied with this reply, and urged their need of a larger appropriation for nursing. That he had thereupon suggested the aggregation of the sick in hospitals, the better to utilize the services of the nurses employed, but that to this as yet there had been no reply.

The action of the Secretary was approved.

Telegram received during the session of the Committee.

PENSACOLA, FLA., Sept. 13, '82.

Dr. SMART, *National Board of Health,*

Washington, D. C.:

Telegram received. Plan you propose not practicable or feasible. You do not understand our situation. This is no time to indulge in red tape at the expense of suffering humanity. We need relief. If you cannot send it say so, and we will apply elsewhere. If the Government will not help us the people will. You suggest hospital tents. They would insure ninety-nine per cent. of mortality, the nights being exceedingly chilly. Answer at once.

J. C. WHITING, *M. D., Sec'y.*

The telegram was read by the Secretary, and he was ordered to despatch the following:

"We can give you to the end of this month one hundred and fifty dollars daily for inspectors and nurses. We regret that our means are limited. If this is insufficient for your needs you must appeal. Money disbursed on vouchers and pay-rolls as heretofore."

—

Telegram.]

PENSACOLA, FLA., Sept. 13, 1882.

Dr. SMART, *Sec'y Nat'l B'd of Health,*

Washington, D. C.:

Telegram received. Your allowance of one hundred and fifty per day, though inadequate, is accepted. Will appeal for outside aid. We have sixty-four nurses on duty to-day. Please send all necessary blanks at once. Nineteen new cases to-day, and three deaths.

WHITING, *Sec'y.*

—

Telegram.]

WASHINGTON, D. C., Sept. 14, '82.

Dr. JNO. C. WHITING, *Pensacola, Fla.:*

Telegram accepting offer received. Will send blanks. Forty barrels sulphur, twenty-five copperas, twenty carbolic shipped to-day from Memphis.

SMART.

Extract.]

EXECUTIVE MINUTES,
Sept. 27, 1882.

The committee met at 11 A. M. Present: Drs. Cabell, Turner, Bailhache, Smart, and Phillips.

The minutes of the meeting held on September 13, 1882, were read and approved.

Aid to Pensacola.

The Secretary stated that the offer of the National Board to the city of Pensacola, Fla., as conveyed in the terms of the order of the Executive Committee, dated Sept. 13, '82, had been accepted, that the necessary blank-rolls had been sent to enable payment for services to be made, and that Dr. Fayette Dunlap, superintendent at Memphis, had been directed to send from that city forty barrels of sulphur, twenty-five of copperas, and twenty of carbolic acid to Dr. Jno. C. Whiting, secretary of the city board of health, Pensacola.

Telegram.]

PENSACOLA, FLA., Oct. 11, '82.

SURGEON CHAS. SMART, *Nat'l Board of Health,*
Washington, D. C.:

Fifty-six new cases; seven deaths. Can you provide any relief for us beyond Sept. thirtieth?

J. C. WHITING, *Sec'y.*

Telegram.]

WASHINGTON, D. C., Oct. 12, '82.

J. C. WHITING, *Sec'y B. of H.,*
Pensacola, Fla.:

Shall submit your telegraphic inquiry to Executive Committee. Session to-morrow.

SMART.

Extract.]

EXECUTIVE MINUTES, October 13, 1882.

The committee met at 11 A. M. Present: Drs. Cabell, Bailhache, Turner, Smart.

The minutes of the meeting held on Sept. 27th, 1882, were read and approved.

The President read communication from Dr. Jno. C. Whiting, sec'y board of health, Pensacola, Fla., inquiring whether

the National Board of Health can extend the aid heretofore granted beyond the thirtieth of September.

Ordered, That the aid, one hundred and fifty dollars (\$150) daily for nurses and inspectors, be continued until October 15, 1882.

Telegram.]

WASHINGTON, D. C., Oct. 13, '82.

Dr. J. C. WHITING, *Sec'y B. of H.*,

Pensacola, Fla.:

Board extends aid, one hundred and fifty dollars daily, until October fifteenth.

SMART.

Telegram.]

PENSACOLA, FLA., Nov. 4, '82.

Surgeon CHAS. SMART,

Sec'y National Board of Health, Washington, D. C.:

The National Board has been very considerate, and our board have not been ungrateful or unmindful of their appreciation of our needs. We are fearful lest our relief fund, now quite depleted, will not meet the innumerable obligations on account of the alarming destitution among our people. Can your honorable body grant additional relief to pay nurses for ten days beyond the fourteenth October, not to exceed two thousand dollars? Rolls to conform to your regulations will be forwarded. Contributions have about ceased. Dr. Martin, who, by the way, we are glad to announce is doing well, is fully cognizant of the condition of affairs.

R. B. S. HARGIS, *Pres.*,

W. F. FORDHAM,

D. G. BRENT,

J. P. JONES,

J. C. WHITING, *Sec'y*.

Telegram.]

WASHINGTON, Nov. 4, 1882.

Dr. J. L. CABELL, *U. of Va.:*

Telegram from Pensacola. B'd fearful relief fund will fail to meet obligations. Begs additional relief to pay nurses; not to exceed \$2,000. Turner and Bailhache gone home, but shall see them to-night. What do you say?

SMART.

Telegram.]

WASHINGTON, Nov. 6, '82.

J. C. WHITING, *Sec'y, etc., Pensacola, Fla.:*

In response to telegram of 4th instant Executive Committee N. B. grants further aid to the Pensacola board for nurses, to be paid on rolls as heretofore, the sum not to exceed \$2,000.

SMART.

Telegram.]

PENSACOLA, FLA., Nov. 6, '82.

CHAS SMART,

Sec'y N. B'd of Health, Washington, D. C.:

Telegram received. Again our board of health recognizes the reality of your sympathy by the generous response which it received from you to its appeal.

Rolls in preparation; will be forwarded.

WHITING, *Sec'y.*

Extract.]

EXECUTIVE MINUTES,

Nov. 16, '82.

The Committee met at 11 A. M. Present: Drs. Smith, Turner, and Smart. The minutes of the last meeting, Oct. 13, were read and approved.

Aid to Pensacola.

The Secretary stated that upon the order of the Executive Committee meeting of October 13th, extending the aid of 150 dollars a day for nurses to the 15th day of October, bills for nursing up to that date had been presented and paid.

That on November a telegram was received from Dr. John C. Whiting, secretary of the Pensacola board of health, representing the great destitution of the population and the inadequacy of the relief fund, and requesting further aid for the payment of nurses, not to exceed two thousand dollars. That the resident members of this Committee were consulted as to the action to be taken on this request, and that in accordance with the views of the Committee thus gathered a telegram was despatched granting further aid to the Pensacola Board for nurses to be paid on rolls as heretofore, the sum not to exceed two thousand dollars.

The action of the Secretary was approved.

Extract.]

EXECUTIVE MINUTES,
Dec. 5, 1882.

The Committee met at 2 P. M. Present: Drs. Cabell, Turner, Bailhache, and Smart.

The minutes of the last meeting, held Nov. 16, 1882, were read and approved.

Pensacola, Fla.

The President read for the information of the Committee communication from Dr. D. G. Brent, acting Sec'y of the board of health of that city, expressing the thanks of the Board for the aid extended to it during the recent visitation of yellow fever.

APPENDIX E.

HON. LEWIS BEACH,

Chairman Committee on Public Health,

House of Representatives :

Dr. Hamilton having through his counsel put in a "general denial" of all of my charges against him, a member of the committee having said that charges not proved react with double force on him who made them, and Dr. Hamilton having demanded proof, I submit the following statements concerning specific charges, which I number from 1 to 11 consecutively :

1. The charge that the Secretary of the Treasury made certain statements to me I support by my own reputation for truthfulness, and by the fact that after this interview I wrote a specific letter to the Secretary of the Treasury reciting his errors ; assuring him that he *was* in error and expressing the hope that he would not allow the reputation of honorable gentlemen and the public health interests of the country to suffer because of influences so unworthy as those which had led to his false belief concerning the National Board of Health. The Secretary of the Treasury did not see fit to reply to this letter, but he will hardly deny that he received it.

2. I beg to refer the Committee to the Congressional Record of Feb'y 21, 1883, speech of Mr. Ellis, pages 73 *et seq.* On page 78 Mr. Ellis is reported to have said that he derived his information from the books of the National Board of Health, and again "I give them upon the authority of Surgeon-General Hammond." In the Congressional Record for Feb'y 22, page 17, Mr. Ellis is reported to have made a correction, saying: "I said 'Hamilton' and I meant Dr. Hamilton, the head of the Marine Hospital Service of the United States."

The facts concerning this specification are already in the hands of the committee, in which it is shown that of the nine-

teen essays tabulated eleven were prepared without compensation to the gentlemen who made them, they being paid either nothing at all or only their actual disbursements. The outrageous statement concerning Ship Island made by Mr. Ellis is included in the list of charges concerning which he said he got his information from Dr. Hamilton.

That the statement of Mr. Ellis concerning the Board's expenditures for scientific investigations were misleading and unfair is sufficiently shown by the following extract from his speech :

“ ‘ Now listen, all ye gods ! What a spectacle ! In the heavy slumbrous air of the tropics the Angel of Pestilence is hovering with lungs breathing poison, and outstretched wings from which death drops, preparing to swoop with the death instinct of the vulture and the fierceness of the condor upon the Southern coast. Cities grow pale and the land cowers with dread and men cry for help from the threatened death. Where, then, is the National Board of Health ? Gathered about a table, that distinguished body is engaged in inspecting [injecting ?] a certain kind of water under the skin of a rabbit just to see how the rabbit will like it and how the health of the rabbit will be affected by it. [Great laughter and applause.] Was there ever such a spectacle ! ”

3. Proof of this charge is covered by the proof adduced in par. 11.

4. In proof of this charge I submit the following extract from a despatch published in the *New York Evening Post*, and dated July 28, 1883 :

“ The Secretary, [of the Treasury,] after thoroughly examining the subject, decides that the contagious disease act of June 2, 1879, *which created the National Board of Health*,* and which repealed provisions of pre-existing statutes giving the National Board of Health certain jurisdiction as to sanitary matters, is itself repealed by limitation, the act having expired in accordance with its tenth section on June 1, 1883. His decision is that, in view of this expiration of limitation, the former contagious or infectious disease act of April 29,

* The italics are mine.—G. E. W., Jr.

1878, chapter 66 Revised Statutes, is revived. *This is the first official declaration that the law organizing the National Board of Health has ceased to exist,** and that the old Marine Hospital act is revived."

5. This charge is circumstantial. In proof of it I submit to the Committee a copy of my report on the siphonage of traps, published in the *American Architect* of October 14, 1882; also a copy of the patent in which my own trap is described.

6. In proof of this charge I refer to Dr. Hamilton's remarks before this Committee as made; also to his rendering of his remarks, as printed by him; and also to the law organizing the National Board of Health, which he has certainly read; to all the facts of the case, reported to him regularly by his representative on the National Board; and to the actual relations always existing between the National Board of Health and the organizations it has aided, as well as the scientific experts it has employed.

7. For proof of this charge I refer in like manner to Dr. Hamilton's spoken and to his printed words; to Dr. Verdi, who made the researches paid for; and to Dr. Baillache, of the Marine Hospital Service, a member of the Executive Committee at the time the detail was made and the services were paid for.

8. This charge, so far as it is a charge of misrepresentation, is fully explained by the facts of the case as stated, all of these facts being the subject of record, and the inference from them being such as no one having the least experience with the methods of thought of vain, ambitious, and unscrupulous minds could fail to draw.

9. This charge is subject substantially to the same explanation as is given in the next preceding paragraph. My own authority for making the statement that I have made is information received from a gentleman, then a member of the

* The italics are mine.—G. E. W., Jr.

National Board of Health, who took an active part in the discussion, and concerning whose truthfulness and the accuracy of whose memory no doubt could be raised. So far as the facts are a matter of record, it is plainly shown that the only important suggestion made by Dr. Hamilton, that was adopted, was that a ship having a clean bill of health should be required to have that bill *viséd* at any intermediate port at which she might stop; that many of his suggestions were rejected, and that what were accepted were generally trivial and unimportant amendments of verbiage or modification of minor requirements.

10. This is a charge that Dr. Hamilton read a certain letter to you impressively, and that he meant you to believe it. Proof of his manner and of his obvious meaning is to be found in the recollection of every gentleman present at the time. I made the direct charge that he knew this letter to be false. This charge I sustain by the statement that for a long time past Dr. Hamilton's representative on the Board, forgetting the loyalty he owed to his colleagues, has allowed himself to be used in Dr. Hamilton's interest as a close scrutinizer of its disbursements; that through this member he has informed himself of the financial management of the Board; that he has never scrupled to make the records of the Board's operations the material for the prosecution of his virulent and systematic enmity; and that it has not been his custom, having such ready means of access to all its records as Dr. Bailhache has afforded him, to leave anything to assumption that could be established by investigation. Had the Board spent \$2,000 for the corrupt purpose that Dr. Hamilton substantially charged, absolute evidence of that fact, in black and white, would have been ready to his hand, and would have been used here, in place of the bare impression that he hoped to produce by his reading of Mayor Tarble's letter. So far as circumstances can support my charge, every circumstance connected with the whole transaction is unmistakable. It is an easy matter, if such be the fact, for Dr. Hamilton now

to deny the charge, and to say that he believed Mayor Tarble's accusation (that the National Board of Health had corruptly used \$2,000 in Pensacola, after the epidemic was over, to reward its medical friends,) to be true. If he will make this declaration now and in open Committee I will withdraw this charge and apologize to him most humbly for having accused him of an act of the basest character.

11. The specific statements of this charge were made on information which I had a right to consider authentic, and which was so in fact, although not so in definite form. I endeavored to procure a copy of the "Preliminary Report" from Dr. Hamilton. He refused to supply it. I have, therefore, had recourse to a copy in the library of the Surgeon-General of the Army, from which the quotation below is taken. It will be seen that the signature appended by Dr. Hamilton to the footnote referred to is not "Chas. Smart, Secretary National Board of Health," but "Dr. Smart, Secretary National Board of Health," the name of the journal from which the statement is copied being given in connection therewith. This does not, of course, modify, in any degree, my charge of misrepresentation with reference either to the use attempted to be made of the opinion cited, or of the unwarranted use of Dr. Smart's name and official title.

If it was in fact a less serious offence to sign the foot-note as it was signed than as I originally stated that it was signed, Dr. Hamilton is certainly entitled to whatever advantage he may derive from the difference.

"The success of that measure [the *cordon sanitaire*] has been met by a like success attending similar management here,*

* "The navy yard (at Pensacola) continues free from fever by virtue of its *cordon sanitaire*, notwithstanding it has so long been within sight of infected localities. Dr. Owen must feel grateful, not only that his seventeen hundred people have been saved from the infection and its dangers, but that a demonstration has been given as well of the non-indigenous nature of the disease as of the necessity for a less subtle means of communication than is afforded by the air."—Dr. Smart, Secretary National Board of Health, in Philadelphia Medical News, Nov. 11, 1882."

and it is only necessary to point out the difference between the rapid and fatal extension of the disease in Mexico, where there was no cordon or local quarantine, and in Texas, where the disease was held within the original limits of infection," &c., &c.



